

House Bill No. 841

An act relating to the state lottery; amending s. 24.115, F.S.; providing for the deposit of a percentage of unclaimed prize money in the Educational Enhancement Trust Fund; authorizing use of such funds subject to appropriations; amending s. 24.121, F.S.; revising provisions relating to the allocation of revenues for public education; amending s. 1010.70, F.S.; conforming provisions; providing an effective date.

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

Section 1. Subsection (2) of section 24.115, Florida Statutes, is amended to read:

24.115 Payment of prizes.—

(2)(a) Eighty percent of all unclaimed prize money shall be deposited in the Educational Enhancement Trust Fund consistent with the provisions of s. 24.121(2). Subject to appropriations provided in the General Appropriations Act, these funds may be used to match private contributions received under the postsecondary matching grant programs established in ss. 1011.32, 1011.85, 1011.94, and 1013.79.

(b) The remaining 20 percent of ~~All~~ unclaimed prize money shall be added to the pool from which future prizes are to be awarded or used for special prize promotions.

Section 2. Subsections (1) and (2) of section 24.121, Florida Statutes, are amended to read:

24.121 Allocation of revenues and expenditure of funds for public education.—

(1) Variable percentages ~~As nearly as practical, at least 50 percent of the gross revenue from the sale of on-line and instant lottery tickets and variable percentages, as determined by the department, of the gross revenue from the sale of instant lottery tickets~~ shall be returned to the public in the form of prizes paid by the department or retailers as authorized by this act. The variable percentages of gross revenue from the sale of on-line and instant lottery tickets returned to the public in the form of prizes shall be established by the department in a manner designed to maximize the amount of funds deposited under subsection (2).

(2) Each fiscal year, ~~at least 39 percent of the gross revenue from the sale of on-line lottery tickets,~~ variable percentages of the gross revenue from the sale of on-line and instant lottery tickets as determined by the department consistent with subsection (1), and other earned revenue, excluding application processing fees, shall be deposited in the Educational Enhancement Trust Fund, which is hereby created in the State Treasury to be administered by the Department of Education. The Department of the Lottery shall

transfer moneys to the Educational Enhancement Trust Fund at least once each quarter. Funds in the Educational Enhancement Trust Fund shall be used to the benefit of public education in accordance with the provisions of this act. Notwithstanding any other provision of law, lottery revenues transferred to the Educational Enhancement Trust Fund shall be reserved as needed and used to meet the requirements of the documents authorizing the bonds issued by the state pursuant to s. 1013.68, s. 1013.70, or s. 1013.737 or distributed to school districts for the Classrooms First Program as provided in s. 1013.68. Such lottery revenues are hereby pledged to the payment of debt service on bonds issued by the state pursuant to s. 1013.68, s. 1013.70, or s. 1013.737. Debt service payable on bonds issued by the state pursuant to s. 1013.68, s. 1013.70, or s. 1013.737 shall be payable from, and is secured by a first lien on, the first lottery revenues transferred to the Educational Enhancement Trust Fund in each fiscal year. Amounts distributable to school districts that request the issuance of bonds pursuant to s. 1013.68(3) are hereby pledged to such bonds pursuant to s. 11(d), Art. VII of the State Constitution.

Section 3. Section 1010.70, Florida Statutes, is amended to read:

1010.70 Educational Enhancement Trust Fund.—Each fiscal year, at least ~~39 percent of the gross revenue from the sale of lottery tickets~~, variable percentages of the gross revenue from the sale of on-line and instant lottery tickets as determined by the department, and other earned revenue, excluding application processing fees, shall be deposited in the Educational Enhancement Trust Fund as provided in s. 24.121.

Section 4. This act shall take effect July 1, 2005.

Approved by the Governor May 26, 2005.

Filed in Office Secretary of State May 26, 2005.