

CHAPTER 2012-141

House Bill No. 5507

An act relating to the Department of Management Services; amending s. 110.181, F.S.; revising provisions relating to reimbursement of the department for actual costs of coordinating the Florida State Employees' Charitable Campaign; amending s. 287.042, F.S.; providing for the transfer of funds generated by fees collected for the use of the department's electronic information services from the department to the Department of Financial Services to support statewide purchasing operations; establishing the amount of transfer; amending s. 287.16, F.S.; eliminating a duty of the department to provide an annual report concerning utilization of aircraft in the executive aircraft pool; repealing s. 287.161, F.S., which establishes the executive aircraft pool within the department and provides procedures and requirements with respect thereto; terminating the Bureau of Aircraft Trust Fund within the department; providing for the disposition of balances in and revenues of the trust fund; prescribing procedures for the termination of the trust fund; amending ss. 318.18 and 318.21, F.S.; revising the expiration date of provisions governing the remission of surcharges for specified criminal offenses and noncriminal moving traffic violations to the Department of Revenue to fund the state agency law enforcement radio system and to provide technical assistance with respect to statewide systems of regional law enforcement communications; providing an effective date.

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

Section 1. Paragraph (b) of subsection (2) of section 110.181, Florida Statutes, is amended to read:

110.181 Florida State Employees' Charitable Campaign.—

(2) SELECTION OF FISCAL AGENTS; COST.—

(b) The fiscal agent shall withhold the reasonable costs for conducting the campaign and for accounting and distribution to the participating organizations and shall reimburse the department the actual cost, ~~not to exceed 1 percent of gross pledges,~~ for coordinating the campaign in accordance with the rules of the department. In any fiscal year in which the Legislature specifically appropriates to the department its total costs for coordinating the campaign from the General Revenue Fund, the fiscal agent is not required to reimburse such costs to the department under this subsection. Otherwise, reimbursement will be the difference between actual costs and the amount appropriated.

Section 2. Paragraph (h) of subsection (1) of section 287.042, Florida Statutes, is amended to read:

287.042 Powers, duties, and functions.—The department shall have the following powers, duties, and functions:

(1)

(h)1. The department may collect fees for the use of its electronic information services. The fees may be imposed on an individual transaction basis or as a fixed subscription for a designated period of time. At a minimum, the fees shall be determined in an amount sufficient to cover the department's projected costs of the services, including overhead in accordance with the policies of the department of Management Services for computing its administrative assessment. All fees collected under this paragraph shall be deposited in the Operating Trust Fund for disbursement as provided by law.

2. The department shall transfer funds generated by fees collected for the use of the department's electronic information services from the Purchasing Oversight Account in the Operating Trust Fund to the Administrative Trust Fund in the Department of Financial Services to support statewide purchasing operations. Unless provided for in the General Appropriations Act, the amount of transfer shall be established each year in the department's nonoperating budget based upon the estimated cost of statewide purchasing operations provided by the Department of Financial Services and may not exceed \$500,000.

Section 3. Subsection (10) of section 287.16, Florida Statutes, is amended, and subsections (11) and (12) of that section are renumbered as subsections (10) and (11), respectively, to read:

287.16 Powers and duties of department.—The Department of Management Services shall have the following powers, duties, and responsibilities:

~~(10) To provide the Legislature annual reports at the end of each calendar year concerning the utilization of all aircraft in the executive pool.~~

Section 4. Section 287.161, Florida Statutes, is repealed.

Section 5. (1) The Bureau of Aircraft Trust Fund within the Department of Management Services, FLAIR number 72-2-066, is terminated.

(2) All current balances remaining in, and all revenues of, the Bureau of Aircraft Trust Fund by July 1, 2012, shall be transferred to the General Revenue Fund.

(3) The Department of Management Services shall pay any outstanding debts and obligations of the terminated fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated fund from various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

Section 6. Subsection (17) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(17) In addition to any penalties imposed, a surcharge of \$3 must be paid for all criminal offenses listed in s. 318.17 and for all noncriminal moving traffic violations under chapter 316. Revenue from the surcharge shall be remitted to the Department of Revenue and deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services for the state agency law enforcement radio system, as described in s. 282.709, and to provide technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications, as described in s. 282.7101. This subsection expires July 1, 2021 2012. The Department of Management Services may retain funds sufficient to recover the costs and expenses incurred for managing, administering, and overseeing the Statewide Law Enforcement Radio System, and providing technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications. The Department of Management Services working in conjunction with the Joint Task Force on State Agency Law Enforcement Communications shall determine and direct the purposes for which these funds are used to enhance and improve the radio system.

Section 7. Subsection (17) of section 318.21, Florida Statutes, is amended to read:

318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(17) Notwithstanding subsections (1) and (2), the proceeds from the surcharge imposed under s. 318.18(17) shall be distributed as provided in that subsection. This subsection expires July 1, 2021 2012.

Section 8. This act shall take effect July 1, 2012.

Approved by the Governor April 20, 2012.

Filed in Office Secretary of State April 20, 2012.