

## CHAPTER 2014-43

### Senate Bill No. 678

An act relating to trust funds; terminating the Agricultural Law Enforcement Trust Fund, the Market Trade Show Trust Fund, and the Relocation and Construction Trust Fund within the Department of Agriculture and Consumer Services; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust funds; prescribing procedures for the termination of the trust funds; creating s. 570.192, F.S.; providing for the administration and funding of the Administrative Trust Fund; creating s. 570.193, F.S.; providing for the administration and funding of the Federal Grants Trust Fund; creating s. 570.194, F.S.; providing for the administration and funding of the Florida Saltwater Products Promotion Trust Fund; creating s. 570.321, F.S.; providing for the administration and funding of the Plant Industry Trust Fund; creating s. 570.441, F.S.; providing for the administration and funding of the Pest Control Trust Fund; creating s. 570.482, F.S.; providing for the administration and funding of the Citrus Inspection Trust Fund; creating s. 570.5481, F.S.; providing for the administration and funding of the Incidental Trust Fund; amending s. 571.24, F.S.; adding collecting rental receipts for industry promotions to the list of departmental duties; amending s. 253.025, F.S.; redirecting proceeds from the Relocation and Construction Trust Fund to the Incidental Trust Fund; conforming provisions to changes made by the act; amending s. 932.7055, F.S.; redirecting proceeds from the Agricultural Law Enforcement Trust Fund to the General Inspection Trust Fund; providing an effective date.

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

Section 1. (1) The Agricultural Law Enforcement Trust Fund within the Department of Agriculture and Consumer Services, FLAIR number 42-2-025, is terminated.

(2) All current balances remaining in, and all revenues of, the trust fund shall be transferred to the General Inspection Trust Fund within the Department of Agriculture and Consumer Services, FLAIR number 42-2-321.

(3) The Department of Agriculture and Consumer Services shall pay any outstanding debts or 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 2. (1) The Market Trade Show Trust Fund within the Department of Agriculture and Consumer Services, FLAIR number 42-2-466, is terminated.

(2) All current balances remaining in, and all revenues of, the trust fund shall be transferred to the Florida Agricultural Promotional Campaign Trust Fund within the Department of Agriculture and Consumer Services, FLAIR number 42-2-920.

(3) The Department of Agriculture and Consumer Services shall pay any outstanding debts or 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 3. (1) The Relocation and Construction Trust Fund within the Department of Agriculture and Consumer Services, FLAIR number 42-2-584, is terminated.

(2) All current balances remaining in, all revenues of, and all outstanding appropriations of the trust fund shall be transferred to the Incidental Trust Fund within the Department of Agriculture and Consumer Services, FLAIR number 42-2-381.

(3) The Department of Agriculture and Consumer Services shall pay any outstanding debts or 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 4. Section 570.192, Florida Statutes, is created to read:

570.192 Administrative Trust Fund.—

(1) The Administrative Trust Fund shall be administered by the Department of Agriculture and Consumer Services.

(2) Funds to be credited to and uses of the trust fund shall be administered in accordance with s. 215.32.

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

Section 5. Section 570.193, Florida Statutes, is created to read:

570.193 Federal Grants Trust Fund.—

(1) The Federal Grants Trust Fund shall be administered by the Department of Agriculture and Consumer Services.

(2) Funds to be credited to and uses of the trust fund shall be administered in accordance with s. 215.32.

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

Section 6. Section 570.194, Florida Statutes, is created to read:

570.194 Florida Saltwater Products Promotion Trust Fund.—

(1) The Florida Saltwater Products Promotion Trust Fund shall be administered by the Department of Agriculture and Consumer Services.

(2) Funds to be credited to and uses of the trust fund shall be administered in accordance with ss. 328.76 and 379.362.

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

Section 7. Section 570.321, Florida Statutes, is created to read:

570.321 Plant Industry Trust Fund.—

(1) The Plant Industry Trust Fund shall be administered by the Department of Agriculture and Consumer Services.

(2) Funds to be credited to and uses of the trust fund shall be administered in accordance with ss. 259.032, 581.031, 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and 593.117.

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

Section 8. Section 570.441, Florida Statutes, is created to read:

570.441 Pest Control Trust Fund.—

(1) The Pest Control Trust Fund shall be administered by the Department of Agriculture and Consumer Services.

(2) Funds to be credited to and uses of the trust fund shall be administered in accordance with chapter 482.

(3) Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of a fiscal year shall remain in the trust fund at

the end of the year and be available for carrying out the purposes of the trust fund.

Section 9. Section 570.482, Florida Statutes, is created to read:

570.482 Citrus Inspection Trust Fund.—

(1) The Citrus Inspection Trust Fund shall be administered by the Department of Agriculture and Consumer Services.

(2) Funds to be credited to and uses of the trust fund shall be administered in accordance with ss. 570.481, 573.118, 581.091, 601.28, 601.281, and 601.59.

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

Section 10. Section 570.5481, Florida Statutes, is created to read:

570.5481 Incidental Trust Fund.—

(1) The Incidental Trust Fund shall be administered by the Department of Agriculture and Consumer Services.

(2) Funds to be credited to and uses of the trust fund shall be administered in accordance with ss. 125.27, 253.025, 261.12, 317.0010, 317.0016, 589.011, 589.04, 589.11, 589.277, 589.31, 590.02, 590.14, and 590.42.

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

Section 11. Present subsections (4) through (9) of section 571.24, Florida Statutes, are redesignated as subsections (5) through (10), respectively, and a new subsection (4) is added to that section, to read:

571.24 Purpose; duties of the department.—The purpose of this part is to authorize the department to establish and coordinate the Florida Agricultural Promotional Campaign. The duties of the department shall include, but are not limited to:

(4) Collecting rental receipts for industry promotions.

Section 12. Paragraphs (b) and (d) of subsection (13) of section 253.025, Florida Statutes, are amended to read:

253.025 Acquisition of state lands for purposes other than preservation, conservation, and recreation.—

(13)

(b) In the case of a sale by the Department of Agriculture and Consumer Services of a forestry facility, the proceeds of the sale shall go into the Department of Agriculture and Consumer Services Incidental Relocation and Construction Trust Fund. The Legislature may, at the request of the department, appropriate such money within the trust fund to the department for purchase of land and construction of a facility to replace the disposed facility. All proceeds other than land, from any sale, conveyance, exchange, trade, or transfer conducted as provided for in this subsection shall be placed within the department's Incidental Relocation and Construction Trust Fund.

~~(d) There is hereby created in the Department of Agriculture and Consumer Services the Relocation and Construction Trust Fund. The trust fund is to be used for the sole purpose of effectuating the orderly relocation of the forestry fire towers and work centers.~~

Section 13. Paragraph (h) of subsection (6) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(6) If the seizing agency is a state agency, all remaining proceeds shall be deposited into the General Revenue Fund. However, if the seizing agency is:

(h) The Department of Agriculture and Consumer Services, the proceeds accrued pursuant to the provisions of the Florida Contraband Forfeiture Act shall be deposited into the General Inspection Agricultural Law Enforcement Trust Fund or into the department's Federal Law Enforcement Trust Fund as provided in s. 570.205, as applicable.

Section 14. This act shall take effect July 1, 2014.

Approved by the Governor June 2, 2014.

Filed in Office Secretary of State June 2, 2014.