

STORAGE NAME: H0063B.frc.doc
DATE: October 23, 2001

HOUSE OF REPRESENTATIVES
FISCAL RESPONSIBILITY COUNCIL
ANALYSIS

BILL #: HB 63B (PCB FRC 01-08B)
RELATING TO: State Funds
SPONSOR(S): Fiscal Responsibility Council and Representative Fasano
TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) FISCAL RESPONSIBILITY COUNCIL YEAS 26 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

This bill reenacts the provisions of s. 215.32(2)(b), Florida Statutes, as the Legislature's most recent enactment regarding the use of unappropriated cash balances of trust funds. Specifically, this law will permit the Legislature to transfer unappropriated cash balances of trust funds to the Budget Stabilization Fund or the Working Capital Fund if such transfer is made in the General Appropriations Act, notwithstanding any limitation otherwise placed on the trust fund moneys.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Section 215.32, F.S., requires all state funds to be deposited into either the General Revenue Fund, the Working Capital Fund, the Budget Stabilization Fund or the various trust funds used by the agencies.

Trust funds are defined to include those moneys received by the state and segregated for a purpose authorized by law. In many instances, the Legislature has placed statutory constraints on the uses of such moneys.

The Working Capital Fund is defined as the moneys in the General Revenue Fund in excess of the amount needed to meet the General Revenue Fund appropriations for the current fiscal year. Section 215.32(2)(b)4.a., F.S., permits the Budget Stabilization Fund and the Working Capital Fund to receive transfers of unappropriated cash balances of trust funds if authorized in the General Appropriations Act.

C. EFFECT OF PROPOSED CHANGES:

This bill reenacts the provisions of s. 215.32(2)(b), F.S., as the Legislature's most recent enactment regarding the use of trust fund moneys and, specifically, the transfer of unappropriated cash balances from trust funds to the Budget Stabilization Fund and the Working Capital Fund.

D. SECTION-BY-SECTION ANALYSIS:

Section 1 reenacts the provisions of s. 215.32(2)(b), F.S., regarding the use of trust funds moneys.

Section 2 provides that the act shall take effect upon becoming a law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require cities or counties to spend or take action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the revenue raising authority of cities and counties.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties and municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

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Not applicable.

VII. SIGNATURES:

FISCAL RESPONSIBILITY COUNCIL:

Prepared by:

Staff Director:

Richard Herring

David Coburn