

**STORAGE NAME:** h1649a.tu.doc  
**DATE:** February 20, 2002

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
TOURISM  
ANALYSIS**

**BILL #:** HB 1649  
**RELATING TO:** Trust Funds  
**SPONSOR(S):** Representative(s) Davis  
**TIED BILL(S):** HB 1647

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

- (1) TOURISM YEAS 5 NAYS 0
  - (2) FISCAL RESPONSIBILITY COUNCIL
  - (3) COUNCIL FOR COMPETITIVE COMMERCE
  - (4)
  - (5)
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**I. SUMMARY:**

HB 1649 creates the Entertainment Industry Financial Incentive Trust Fund (trust fund) within the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor. The purpose of the trust fund is to make incentive reimbursements under the entertainment industry financial incentive program created in s. 288.1254, F.S.

The trust fund is funded from money appropriated to the fund for the incentive program created in s. 288.1254, F.S. Unless terminated sooner, the trust fund will terminate on July 1, 2006. Prior to its termination, the fund shall be reviewed as provided in s. 215.3206, F.S.

The bill takes effect on July 1, 2002, contingent upon passage and enactment of certain legislation. HB 1649 must be enacted by a three-fifths vote of the membership of each House.

There is no fiscal impact on state or local governments because the purpose of the bill is only to create the trust fund.

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:

Pursuant to Article III, Section 19(f), of the State Constitution, no trust fund of the State of Florida or any public body may be created by law without a three-fifths vote of the membership of each House of the Legislature. Additionally, the bill creating the trust fund must be separate from any related substantive bill. HB 1649 is tied to HB 1647 relating to the creation of the entertainment industry financial incentive program.

C. EFFECT OF PROPOSED CHANGES:

HB 1649 creates the Entertainment Industry Financial Incentive Trust Fund (trust fund). The bill is tied to adoption of HB 1647 or similar legislation creating the entertainment industry financial incentive program. The trust fund is a repository and distribution point for funds specified in HB 1647.

D. SECTION-BY-SECTION ANALYSIS:

Please see "Effect of Proposed Changes".

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See "Fiscal Comments".

2. Expenditures:

See "Fiscal Comments".

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See Fiscal Comments section.

2. Expenditures:

See Fiscal Comments section.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments section.

D. FISCAL COMMENTS:

The bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. The bill simply creates the Entertainment Industry Financial Incentive Trust Fund.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

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

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenue in the aggregate.

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

This bill does not reduce any state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

The bill is linked to HB 1647; however, the bill number is left blank in section 2 of the bill.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On February 20, 2002, the House Tourism Committee passed HB 1649 with one amendment that replaced "HB \_\_\_\_" with the number of its linked bill, HB 1647.

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VII. SIGNATURES:

COMMITTEE ON TOURISM:

Prepared by:

Staff Director:

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Judy C. McDonald

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