

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1742

SPONSOR: Finance and Taxation Committee and Senator Sebesta

SUBJECT: Trust Fund

DATE: March 27, 2003      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>McAuliffe</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable</u>
2.	<u>Keating</u>	<u>Johansen</u>	<u>FT</u>	<u>Fav/CS</u>
3.	_____	_____	<u>ATD</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This bill creates the Transportation Revenue Bond Trust Fund within The Florida Department of Transportation (FDOT) for the deposit of funds received by FDOT from the proceeds or issuance of revenue bonds secured by state and federal revenues and credited to the trust fund.

**II. Present Situation:**

Article III, section 19(f)(1), of the Florida Constitution, requires a trust fund be created in a separate bill passed by a three-fifths vote of the membership each house of the Legislature. Bond documents require that bond proceeds must not be co-mingled with other funds and, therefore, require a dedicated trust fund. The current work program plans for the FDOT to issue GARVEE bonds in fiscal year 2004-2005. The FDOT also anticipates the issuance of Beeline-East Expressway revenue bonds and Sunshine Skyway Bridge revenue bonds to advance needed transportation projects. A trust fund will be needed to receive bond proceeds as the FDOT moves forward with bond programs.

**III. Effect of Proposed Changes:**

This bill creates the Transportation Revenue Bond Trust Fund within the FDOT for the deposit of funds received by the FDOT from the proceeds or issuance of revenue bonds secured by state and federal revenues and credited to the trust fund. Any balance in the trust fund at the end of any fiscal year shall remain in the trust fund at the end of the year and shall be available for carrying out the purposes of the trust fund.

The bill shall take effect July 1, 2003, but it shall not take effect unless it is enacted by a three-fifths vote of the membership of each house of the Legislature.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

Article III, section 19(f)(1), of the Florida Constitution, provides that no trust fund of the state or other public body may be created by laws without three-fifths vote of the membership of each house of the Legislature in a separate bill for that purpose only.

**V. Economic Impact and Fiscal Note:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.