

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: SB 802
SPONSOR: Senator Carlton
SUBJECT: Re-create - State University System Law Enforcement Trust Fund
DATE: January 27, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bryant	Newman	AED	Favorable
2.	_____	_____	AP	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This legislation states that the State University System Law Enforcement Trust Fund, FLAIR number 492434, is not exempt from the automatic termination provision of the State Constitution. It creates the fund effective July 1, 2003. This fund was last reviewed effective November 4, 2000, by Chapter 99-243, Laws of Florida.

II. Present Situation:

The trust fund is created in Section 932.7055(5) (h) Florida Statutes as a depository for contraband pursuant to the Florida Contraband Forfeiture Act. In the past the fund was deemed to come under Article III, Section 19(f) (3), of the State Constitution which exempts trust funds under the management of the State Board of Education for auxiliary enterprises. However closer examination reveals that the fund, with its major source of revenue being contraband forfeiture, has little similarity to university enterprises and should not be included under this exemption. It should also be noted that similar funds in other state agencies are included under the automatic termination provisions of the state constitution.

According to LAS/PBS data, receipts to this fund for FY 2001-2002 were \$45,405.

III. Effect of Proposed Changes:

This bill creates the trust fund without modification, to any current statute.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.