

# 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 1236  
 SPONSOR: Senator Clary  
 SUBJECT: Administrative Trust Fund  
 DATE: February 6, 2004      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kynoch</u>	<u>Hayes</u>	<u>AGG</u>	<u>Favorable</u>
2.	<u> </u>	<u> </u>	<u>AP</u>	<u>Withdrawn: Favorable</u>
3.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
4.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
5.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
6.	<u> </u>	<u> </u>	<u> </u>	<u> </u>

**I. Summary:**

This legislation re-creates the Administrative Trust Fund without modification. The Administrative Trust Fund, FLAIR #43-2-021, is administered by the Department of Financial Services. This fund was last re-created effective November 4, 2000, by Chapter 99-79, Laws of Florida.

**II. Present Situation:**

The Administrative Trust Fund provides funding for the department’s Chief Financial Officer and Administration Program, management of capital collateral regional counsel (CCRC) contracts and the Florida Accounting and Information Resource System and Cash Management System Replacement Project (ASPIRE). Sections 17.076, 68.092, and 77.0305, F.S., provide revenue sources for the trust fund. These revenue sources include fees charged for the garnishment of salary and wages due to a judgment, fees collected for direct deposit, civil penalties collected under the Florida False Claims Act, transfers from the Justice Administration Commission for CCRC contracts, and cash from the ASPIRE third party financier.

**III. Effect of Proposed Changes:**

This bill re-creates the trust fund without modification.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**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.