

HOUSE OF REPRESENTATIVES TRUST FUND CREATION STAFF ANALYSIS

BILL #: HB 201 Health Care Clinic Indigent Care Trust Fund
SPONSOR(S): Grimsley and others
TIED BILLS: HB 203 **IDEN./SIM. BILLS:** SB 1654

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Health Innovation</u>	<u>6 Y, 0 N</u>	<u>Cicccone</u>	<u>Calamas</u>
2) <u>Healthcare Council</u>	<u></u>	<u></u>	<u></u>
3) <u>Policy & Budget Council</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>

I. SUMMARY

House Bill 201 creates the Health Care Clinic Indigent Care Trust Fund within the Department of Revenue (department) effective July 1, 2007. This fund is established as a depository for monies received from corporate taxpayers and is to be used to make disbursements to qualifying health care clinics that provide medical care to indigent persons. The fund will be administered by a board of directors, with the assistance of the department.

The bill creates s. 220.1876, F.S., relating to the Health Care Clinic Indigent Care Trust Fund.

The bill creates a new trust fund; therefore, it must pass with a three-fifths vote of the membership of each house of the Legislature.

The bill provides an effective date of July 1, 2007.

II. SUBSTANTIVE ANALYSIS

A. PRESENT SITUATION:

1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:

Section 19(f), Art. III of the State Constitution governs the creation of trust funds. This constitutional provision prohibits the creation by law of a trust fund of the state or other public body without a three-fifths vote of the membership of each house of the Legislature. This provision further specifies that a trust fund must be created in a separate bill for that purpose only.

The State Constitution also specifies that trust funds created after November 4, 1992, with certain exceptions, shall terminate not more than four years after the effective date of the act authorizing the creation of the trust fund, unless the Legislature by law sets a shorter time period. A bill that creates a trust fund should specify the trust fund's date of termination.

2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:

The Health Care Clinic Indigent Care Trust Fund is established as a depository for monies received from corporate taxpayers and is to be used to make disbursements to qualifying health care clinics that provide medical care to indigent persons. The fund will be administered by the board of directors, with the assistance of the department.

3. MAJOR SOURCES OF REVENUE FOR THE FUND:

House Bill 203 provides corporate taxpayers with a mechanism to contribute to the Health Care Clinic Indigent Care Trust Fund created in HB 201, s. 220.1876, F.S., and receive credit against the corporate taxpayer's income taxes. House Bill 201 establishes the trust fund into which a corporate taxpayer may make contributions to the fund at any time by submitting the contribution to the department for deposit into the fund. The department will account for all contributions by each corporate taxpayer and may require documentation filing relating to the transaction.

4. TOTAL PROJECTED RECEIPTS INTO THE FUND AND CURRENT YEAR APPROPRIATIONS FROM THE FUND:

According to the Department of Revenue the projected receipts and current year appropriations from the fund is indeterminate.

B. EFFECT OF PROPOSED CHANGES:

The bill creates a new trust fund as a depository to receive corporate taxpayer contributions for the purposes of disbursement to qualified health care clinics.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. The bill establishes a trust fund to be used as a depository for corporate taxpayer contributions.

IV. COMMENTS

V. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES