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1 A bill to be entitled
 2 An act relating to the use of cigarette tax proceeds;
 3 amending s. 210.20, F.S.; revising the payment and
 4 distribution of funds in the Cigarette Tax Collection
 5 Trust Fund; providing specified purposes for the use of
 6 funds that are appropriated out of the trust fund;
 7 amending s. 210.201, F.S.; authorizing moneys transferred
 8 to the Board of Directors of the H. Lee Moffitt Cancer
 9 Center and Research Institute to be used to secure
 10 financing to pay costs related to constructing,
 11 furnishing, equipping, and maintaining clinical facilities
 12 for cancer research; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Paragraph (b) of subsection (2) of section
 17 210.20, Florida Statutes, is amended to read:

18 210.20 Employees and assistants; distribution of funds.—

19 (2) As collections are received by the division from such
 20 cigarette taxes, it shall pay the same into a trust fund in the
 21 State Treasury designated "Cigarette Tax Collection Trust Fund"
 22 which shall be paid and distributed as follows:

23 (b)1. Beginning January 1, 1999, and continuing for 10
 24 years thereafter, the division shall from month to month certify
 25 to the Chief Financial Officer the amount derived from the
 26 cigarette tax imposed by s. 210.02, less the service charges
 27 provided for in s. 215.20 and less 0.9 percent of the amount
 28 derived from the cigarette tax imposed by s. 210.02, which shall

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29 | be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
30 | specifying an amount equal to 2.59 percent of the net
31 | collections, and that amount shall be paid to the Board of
32 | Directors of the H. Lee Moffitt Cancer Center and Research
33 | Institute, established under s. 1004.43, by warrant drawn by the
34 | Chief Financial Officer upon the State Treasury. These funds are
35 | hereby appropriated monthly out of the Cigarette Tax Collection
36 | Trust Fund, to be used for the purpose of constructing,
37 | furnishing, and equipping a cancer research facility at the
38 | University of South Florida adjacent to the H. Lee Moffitt
39 | Cancer Center and Research Institute. In fiscal years 1999-2000
40 | and thereafter with the exception of fiscal year 2008-2009, the
41 | appropriation to the H. Lee Moffitt Cancer Center and Research
42 | Institute authorized by this subparagraph shall not be less than
43 | the amount that would have been paid to the H. Lee Moffitt
44 | Cancer Center and Research Institute for fiscal year 1998-1999
45 | had payments been made for the entire fiscal year rather than
46 | for a 6-month period thereof.

47 | 2. Beginning July 1, 2002, and continuing through June 30,
48 | 2004, the division shall, in addition to the distribution
49 | authorized in subparagraph 1., from month to month certify to
50 | the Chief Financial Officer the amount derived from the
51 | cigarette tax imposed by s. 210.02, less the service charges
52 | provided for in s. 215.20 and less 0.9 percent of the amount
53 | derived from the cigarette tax imposed by s. 210.02, which shall
54 | be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
55 | specifying an amount equal to 0.2632 percent of the net
56 | collections, and that amount shall be paid to the Board of

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57 Directors of the H. Lee Moffitt Cancer Center and Research
58 Institute, established under s. 1004.43, by warrant drawn by the
59 Chief Financial Officer. Beginning July 1, 2004, and continuing
60 through June 30, 2013 ~~2020~~, the division shall, in addition to
61 the distribution authorized in subparagraph 1., from month to
62 month certify to the Chief Financial Officer the amount derived
63 from the cigarette tax imposed by s. 210.02, less the service
64 charges provided for in s. 215.20 and less 0.9 percent of the
65 amount derived from the cigarette tax imposed by s. 210.02,
66 which shall be deposited into the Alcoholic Beverage and Tobacco
67 Trust Fund, specifying an amount equal to 1.47 percent of the
68 net collections, and that amount shall be paid to the Board of
69 Directors of the H. Lee Moffitt Cancer Center and Research
70 Institute, established under s. 1004.43, by warrant drawn by the
71 Chief Financial Officer. Beginning July 1, 2013, and continuing
72 through June 30, 2045, the division shall, in addition to the
73 distribution authorized in subparagraph 1., from month to month
74 certify to the Chief Financial Officer the amount derived from
75 the cigarette tax imposed by s. 210.02, less the service charges
76 provided for in s. 215.20 and less 0.9 percent of the amount
77 derived from the cigarette tax imposed by s. 210.02, which shall
78 be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
79 specifying an amount equal to 5 percent of the net collections,
80 and that amount shall be paid to the Board of Directors of the
81 H. Lee Moffitt Cancer Center and Research Institute, established
82 under s. 1004.43, by warrant drawn by the Chief Financial
83 Officer. These funds are appropriated monthly out of the
84 Cigarette Tax Collection Trust Fund, to be used for lawful

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85 purposes, including the purpose of constructing, furnishing, and
 86 equipping, operating, and maintaining a cancer research and
 87 clinical facilities; furnishing, equipping, operating, and
 88 maintaining other properties owned or leased by facility at the
 89 University of South Florida adjacent to the H. Lee Moffitt
 90 Cancer Center and Research Institute; and paying costs incurred
 91 for purchasing, operating, and maintaining equipment in or on
 92 any of those facilities or properties. In fiscal years 2004-2005
 93 and thereafter, the appropriation to the H. Lee Moffitt Cancer
 94 Center and Research Institute authorized by this subparagraph
 95 shall not be less than the amount that would have been paid to
 96 the H. Lee Moffitt Cancer Center and Research Institute in
 97 fiscal year 2001-2002, had this subparagraph been in effect.

98 Section 2. Section 210.201, Florida Statutes, is amended
 99 to read:

100 210.201 Cancer research facility at the University of
 101 South Florida; establishment; funding.—The Board of Directors of
 102 the H. Lee Moffitt Cancer Center and Research Institute shall
 103 construct, furnish, and equip, and shall covenant to complete,
 104 the cancer research facility at the University of South Florida
 105 adjacent to the H. Lee Moffitt Cancer Center and Research
 106 Institute. Moneys transferred to the Board of Directors of the
 107 H. Lee Moffitt Cancer Center and Research Institute pursuant to
 108 s. 210.20 may shall be used to secure financing to pay costs
 109 related to constructing, furnishing, ~~and~~ equipping, operating,
 110 and maintaining the cancer research and clinical facilities;
 111 furnishing, equipping, operating, and maintaining other leased
 112 or owned properties; and paying costs incurred for purchasing,

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113 | operating, and maintaining equipment in or on any of those
114 | facilities and properties as provided in s. 210.20 ~~facility.~~
115 | Such financing may include the issuance of tax-exempt bonds by a
116 | local authority, municipality, or county pursuant to parts II
117 | and III of chapter 159. Such bonds shall not constitute state
118 | bonds for purposes of s. 11, Art. VII of the State Constitution,
119 | but shall constitute bonds of a "local agency," as defined in s.
120 | 159.27(4). The cigarette tax dollars pledged to this facility
121 | pursuant to s. 210.20 may be replaced annually by the
122 | Legislature from tobacco litigation settlement proceeds.

123 | Section 3. This act shall take effect July 1, 2011.