

1 A bill to be entitled

2 An act relating to trust funds; terminating the
3 Agricultural Law Enforcement Trust Fund, the Market
4 Trade Show Trust Fund, and the Relocation and
5 Construction Trust Fund within the Department of
6 Agriculture and Consumer Services; providing for the
7 disposition of balances in, revenues of, and all
8 outstanding appropriations of the trust funds;
9 prescribing procedures for the termination of the
10 trust funds; creating s. 570.192, F.S.; providing for
11 the administration and funding of the Administrative
12 Trust Fund; creating s. 570.193, F.S.; providing for
13 the administration and funding of the Federal Grants
14 Trust Fund; creating s. 570.194, F.S.; providing for
15 the administration and funding of the Florida
16 Saltwater Products Promotion Trust Fund; creating s.
17 570.321, F.S.; providing for the administration and
18 funding of the Plant Industry Trust Fund; creating s.
19 570.441, F.S.; providing for the administration and
20 funding of the Pest Control Trust Fund; creating s.
21 570.482, F.S.; providing for the administration and
22 funding of the Citrus Inspection Trust Fund; creating
23 s. 570.5481, F.S.; providing for the administration
24 and funding of the Incidental Trust Fund; amending s.
25 571.24, F.S.; adding collecting rental receipts for
26 industry promotions to the list of departmental

Page 1 of 8

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

27 | duties; amending s. 253.025, F.S.; redirecting
 28 | proceeds from the Relocation and Construction Trust
 29 | Fund to the Incidental Trust Fund; conforming
 30 | provisions to changes made by the act; amending s.
 31 | 932.7055, F.S.; redirecting proceeds from the
 32 | Agricultural Law Enforcement Trust Fund to the General
 33 | Inspection Trust Fund; providing an effective date.
 34 |

35 | Be It Enacted by the Legislature of the State of Florida:
 36 |

37 | Section 1. (1) The Agricultural Law Enforcement Trust
 38 | Fund within the Department of Agriculture and Consumer Services,
 39 | FLAIR number 42-2-025, is terminated.

40 | (2) All current balances remaining in, and all revenues
 41 | of, the trust fund shall be transferred to the General
 42 | Inspection Trust Fund within the Department of Agriculture and
 43 | Consumer Services, FLAIR number 42-2-321.

44 | (3) The Department of Agriculture and Consumer Services
 45 | shall pay any outstanding debts or obligations of the terminated
 46 | fund as soon as practicable, and the Chief Financial Officer
 47 | shall close out and remove the terminated fund from various
 48 | state accounting systems using generally accepted accounting
 49 | principles concerning warrants outstanding, assets, and
 50 | liabilities.

51 | Section 2. (1) The Market Trade Show Trust Fund within
 52 | the Department of Agriculture and Consumer Services, FLAIR

53 number 42-2-466, is terminated.

54 (2) All current balances remaining in, and all revenues
 55 of, the trust fund shall be transferred to the Florida
 56 Agricultural Promotional Campaign Trust Fund within the
 57 Department of Agriculture and Consumer Services, FLAIR number
 58 42-2-920.

59 (3) The Department of Agriculture and Consumer Services
 60 shall pay any outstanding debts or obligations of the terminated
 61 fund as soon as practicable, and the Chief Financial Officer
 62 shall close out and remove the terminated fund from various
 63 state accounting systems using generally accepted accounting
 64 principles concerning warrants outstanding, assets, and
 65 liabilities.

66 Section 3. (1) The Relocation and Construction Trust Fund
 67 within the Department of Agriculture and Consumer Services,
 68 FLAIR number 42-2-584, is terminated.

69 (2) All current balances remaining in, all revenues of,
 70 and all outstanding appropriations of the trust fund shall be
 71 transferred to the Incidental Trust Fund within the Department
 72 of Agriculture and Consumer Services, FLAIR number 42-2-381.

73 (3) The Department of Agriculture and Consumer Services
 74 shall pay any outstanding debts or obligations of the terminated
 75 fund as soon as practicable, and the Chief Financial Officer
 76 shall close out and remove the terminated fund from various
 77 state accounting systems using generally accepted accounting
 78 principles concerning warrants outstanding, assets, and

79 liabilities.

80 Section 4. Section 570.192, Florida Statutes, is created
81 to read:

82 570.192 Administrative Trust Fund.—

83 (1) The Administrative Trust Fund shall be administered by
84 the Department of Agriculture and Consumer Services.

85 (2) Funds to be credited to and uses of the trust fund
86 shall be administered in accordance with s. 215.32.

87 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
88 any balance in the trust fund at the end of a fiscal year shall
89 remain in the trust fund at the end of the year and be available
90 for carrying out the purposes of the trust fund.

91 Section 5. Section 570.193, Florida Statutes, is created
92 to read:

93 570.193 Federal Grants Trust Fund.—

94 (1) The Federal Grants Trust Fund shall be administered by
95 the Department of Agriculture and Consumer Services.

96 (2) Funds to be credited to and uses of the trust fund
97 shall be administered in accordance with s. 215.32.

98 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
99 any balance in the trust fund at the end of a fiscal year shall
100 remain in the trust fund at the end of the year and be available
101 for carrying out the purposes of the trust fund.

102 Section 6. Section 570.194, Florida Statutes, is created
103 to read:

104 570.194 Florida Saltwater Products Promotion Trust Fund.—

105 (1) The Florida Saltwater Products Promotion Trust Fund
 106 shall be administered by the Department of Agriculture and
 107 Consumer Services.

108 (2) Funds to be credited to and uses of the trust fund
 109 shall be administered in accordance with ss. 328.76 and 379.362.

110 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 111 any balance in the trust fund at the end of a fiscal year shall
 112 remain in the trust fund at the end of the year and be available
 113 for carrying out the purposes of the trust fund.

114 Section 7. Section 570.321, Florida Statutes, is created
 115 to read:

116 570.321 Plant Industry Trust Fund.—

117 (1) The Plant Industry Trust Fund shall be administered by
 118 the Department of Agriculture and Consumer Services.

119 (2) Funds to be credited to and uses of the trust fund
 120 shall be administered in accordance with ss. 259.032, 581.031,
 121 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and
 122 593.117.

123 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 124 any balance in the trust fund at the end of a fiscal year shall
 125 remain in the trust fund at the end of the year and be available
 126 for carrying out the purposes of the trust fund.

127 Section 8. Section 570.441, Florida Statutes, is created
 128 to read:

129 570.441 Pest Control Trust Fund.—

130 (1) The Pest Control Trust Fund shall be administered by

131 the Department of Agriculture and Consumer Services.

132 (2) Funds to be credited to and uses of the trust fund
 133 shall be administered in accordance with chapter 482.

134 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 135 any balance in the trust fund at the end of a fiscal year shall
 136 remain in the trust fund at the end of the year and be available
 137 for carrying out the purposes of the trust fund.

138 Section 9. Section 570.482, Florida Statutes, is created
 139 to read:

140 570.482 Citrus Inspection Trust Fund.—

141 (1) The Citrus Inspection Trust Fund shall be administered
 142 by the Department of Agriculture and Consumer Services.

143 (2) Funds to be credited to and uses of the trust fund
 144 shall be administered in accordance with ss. 570.481, 573.118,
 145 581.091, 601.28, 601.281, and 601.59.

146 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 147 any balance in the trust fund at the end of a fiscal year shall
 148 remain in the trust fund at the end of the year and be available
 149 for carrying out the purposes of the trust fund.

150 Section 10. Section 570.5481, Florida Statutes, is created
 151 to read:

152 570.5481 Incidental Trust Fund.—

153 (1) The Incidental Trust Fund shall be administered by the
 154 Department of Agriculture and Consumer Services.

155 (2) Funds to be credited to and uses of the trust fund
 156 shall be administered in accordance with ss. 125.27, 253.025,

157 261.12, 317.0010, 317.0016, 589.011, 589.04, 589.11, 589.277,
 158 589.31, 590.02, 590.14, and 590.42.

159 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 160 any balance in the trust fund at the end of a fiscal year shall
 161 remain in the trust fund at the end of the year and be available
 162 for carrying out the purposes of the trust fund.

163 Section 11. Present subsections (4) through (9) of section
 164 571.24, Florida Statutes, are redesignated as subsections (5)
 165 through (10), respectively, and a new subsection (4) is added to
 166 that section, to read:

167 571.24 Purpose; duties of the department.—The purpose of
 168 this part is to authorize the department to establish and
 169 coordinate the Florida Agricultural Promotional Campaign. The
 170 duties of the department shall include, but are not limited to:

171 (4) Collecting rental receipts for industry promotions.

172 Section 12. Paragraphs (b) and (d) of subsection (13) of
 173 section 253.025, Florida Statutes, are amended to read:

174 253.025 Acquisition of state lands for purposes other than
 175 preservation, conservation, and recreation.—

176 (13)

177 (b) In the case of a sale by the Department of Agriculture
 178 and Consumer Services of a forestry facility, the proceeds of
 179 the sale shall go into the Department of Agriculture and
 180 Consumer Services Incidental Relocation and Construction Trust
 181 Fund. The Legislature may, at the request of the department,
 182 appropriate such money within the trust fund to the department

HB 7079

2014

183 for purchase of land and construction of a facility to replace
184 the disposed facility. All proceeds other than land, from any
185 sale, conveyance, exchange, trade, or transfer conducted as
186 provided for in this subsection shall be placed within the
187 department's Incidental Relocation and Construction Trust Fund.

188 ~~(d) There is hereby created in the Department of~~
189 ~~Agriculture and Consumer Services the Relocation and~~
190 ~~Construction Trust Fund. The trust fund is to be used for the~~
191 ~~sole purpose of effectuating the orderly relocation of the~~
192 ~~forestry fire towers and work centers.~~

193 Section 13. Paragraph (h) of subsection (6) of section
194 932.7055, Florida Statutes, is amended to read:

195 932.7055 Disposition of liens and forfeited property.—

196 (6) If the seizing agency is a state agency, all remaining
197 proceeds shall be deposited into the General Revenue Fund.

198 However, if the seizing agency is:

199 (h) The Department of Agriculture and Consumer Services,
200 the proceeds accrued pursuant to ~~the provisions of the Florida~~
201 ~~Contraband Forfeiture Act~~ shall be deposited into the General
202 Inspection Agricultural Law Enforcement Trust Fund or into the
203 department's Federal Law Enforcement Trust Fund as provided in
204 s. 570.205, as applicable.

205 Section 14. This act shall take effect July 1, 2014.