

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 426

INTRODUCER: Senator Gaetz

SUBJECT: Building Fee Trust Fund/Board of Governors

DATE: February 10, 2015

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sikes	Kynoch	AP	Pre-meeting

I. Summary:

SB 426 terminates the Building Fee Trust Fund within the Board of Governors and clarifies the administration of the Capital Improvement Fee Trust Fund by statutorily placing it under the Board of Governors, where it currently resides in practice. The bill is effective July 1, 2015, and has no fiscal impact on state or local funds.

II. Present Situation:

Section 215.3208, F.S., requires legislative review of each trust fund at least once every four years. The review schedule is included in the legislative budget instructions developed in accordance with s. 216.023, F.S. The legislative budget instructions for legislative budget requests for Fiscal Year 2015-2016 included the State University System's trust funds.

The review indicated the Building Fee Trust Fund within the Board of Governors is obsolete. The building fee was repealed by section 22 of Chapter 2012-134, L.O.F. In addition, the Capital Improvement Fee Trust Fund is inappropriately placed under the administration of the State Board of Education, which has no authority over state universities, rather than the Board of Governors, which has authority over the State University System.

The Building Fee Trust Fund within the Board of Governors was originally used for debt service payments, reserve requirements, child development educational research centers, and projects appropriated by the Legislature. The trust fund has no funds and no future receipts are anticipated.

The Capital Improvement Fee Trust Fund was created in s. 1010.86, F.S., and is used for debt service payments, reserve requirements, child development educational research centers, and projects appropriated by the Legislature. Revenue sources for The Capital Improvement Trust Fund consist of receipts from capital improvement student fee assessments, interest earnings, and subsidy grants.

III. Effect of Proposed Changes:

The Building Fee Trust Fund within the Board of Governors is terminated.

Additionally, the bill amends s. 1010.86, F.S., to place the administration of the Capital Improvement Fee Trust Fund under the Board of Governors, where the trust fund currently resides in practice since the Board of Governors has authority over the State University System.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. It simply terminates an existing state trust fund that is currently inactive within the board.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1010.86 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
