

## CHAPTER 2004-235

### Committee Substitute for Senate Bill No. 2646

An act relating to trust funds; terminating specified trust funds within the Department of State, the Department of Highway Safety and Motor Vehicles, and the Department of Community Affairs; providing for disposition of balances in and revenues of the trust funds; declaring findings of the Legislature that specified trust funds within the Executive Office of the Governor, the Department of Transportation, the Department of Community Affairs, and the Department of Highway Safety and Motor Vehicles are exempt from the termination requirements of s. 19(f), Art. III of the State Constitution; repealing s. 445.0324(5), F.S.; abrogating provisions relating to the termination of the Welfare Transition Trust Fund within the Agency for Workforce Innovation; amending s. 252.373, F.S.; revising provisions specifying the use of funds in the Emergency Management, Preparedness, and Assistance Trust Fund within the Department of Community Affairs; amending s. 120.55, F.S.; requiring that fees and moneys collected for the publication and distribution of the Florida Administrative Code and Florida Administrative Weekly be deposited in the Records Management Trust Fund of the Department of State; deleting provisions authorizing the Department of State to collect a surcharge for costs relating to publication of the Florida Administrative Weekly; amending s. 443.211, F.S.; requiring that funds collected for certain information services be deposited into the Employment Security Administration Trust Fund; amending ss. 322.08 and 320.02, F.S.; providing that certain contributions received in connection with a driver's license application or motor vehicle registration are not income of a revenue nature for purposes of a service charge imposed on certain trust funds; providing an effective date.

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

Section 5. Subsection (5) of section 120.55, Florida Statutes, is amended to read:

120.55 Publication.—

(5)(a) There is hereby created in the State Treasury a revolving fund to be known as the "Publication Revolving Trust Fund" of the Department of State.

(a)(b) All fees and moneys collected by the Department of State under this chapter shall be deposited in the Records Management revolving Trust Fund for the purpose of paying for the publication and distribution of the

Florida Administrative Code and the Florida Administrative Weekly and for associated costs incurred by the department in carrying out this chapter.

(b)(c) The unencumbered balance in the Records Management Trust Fund for fees collected pursuant to this chapter revolving trust fund at the beginning of each fiscal year shall not exceed \$300,000 at the beginning of each fiscal year, and any excess shall be transferred to the General Revenue Fund.

(c) (d) It is the intent of the Legislature that the Florida Administrative Weekly be supported entirely from funds collected for subscriptions to and advertisements in the Florida Administrative Weekly. To that end, the Department of State is authorized to add a surcharge of 10 percent to any charge relating to the Florida Administrative Weekly until such time as the Publication Revolving Trust Fund has transferred to the General Revenue Fund an amount equal to all funds appropriated to the trust fund.

Section 9. This act shall take effect July 1, 2004.

Approved by the Governor May 25, 2004.

Filed in Office Secretary of State May 25, 2004.