

1 A bill to be entitled

2 An act relating to contraband forfeiture; amending s.  
3 932.701, F.S.; conforming provisions to changes made  
4 by the act; amending s. 932.703, F.S.; specifying that  
5 property may be seized only upon the arrest of the  
6 owner of the property for a violation of a criminal  
7 law that renders the property a contraband article;  
8 requiring that specified persons approve a settlement;  
9 specifying the nature of title interest in seized  
10 property; providing circumstances when property may be  
11 deemed contraband; amending s. 932.704, F.S.;  
12 specifying the circumstances when a court shall order  
13 the forfeiture of seized property; providing  
14 circumstances for return of seized property to the  
15 owner; requiring an agency seizing property to be  
16 responsible for costs in specified circumstances;  
17 requiring various review procedures for seizure  
18 records held by a seizing agency; prohibiting the  
19 compensation of law enforcement officers from being  
20 dependent on meeting a seizure quota; requiring the  
21 adoption and implementation of written policies,  
22 procedures, and training; requiring training for  
23 personnel involved in property seizure; amending s.  
24 932.7055, F.S.; conforming provisions to changes made  
25 by the act; creating s. 932.7061, F.S.; providing  
26 reporting requirements for seized property for

27 forfeiture; creating s. 932.7062, F.S.; providing  
 28 penalties for noncompliance with reporting  
 29 requirements; amending ss. 322.34, 323.001, 328.07,  
 30 and 817.625, F.S.; conforming provisions to changes  
 31 made by the act; providing an effective date.

32  
 33 Be It Enacted by the Legislature of the State of Florida:

34  
 35 Section 1. Subsection (1) of section 932.701, Florida  
 36 Statutes, is amended to read:

37 932.701 Short title; definitions.—

38 (1) Sections 932.701-932.7062 ~~932.706~~ shall be known and  
 39 may be cited as the "Florida Contraband Forfeiture Act."

40 Section 2. Subsections (1), (2), and (6) of section  
 41 932.703, Florida Statutes, are amended to read:

42 932.703 Forfeiture of contraband article; exceptions.—

43 (1) (a) A ~~Any~~ contraband article, vessel, motor vehicle,  
 44 aircraft, other personal property, or real property ~~used in~~  
 45 ~~violation of any provision of the Florida Contraband Forfeiture~~  
 46 ~~Act, or in, upon, or by means of which any violation of the~~  
 47 ~~Florida Contraband Forfeiture Act has taken or is taking place,~~  
 48 may be seized only upon the arrest of the owner of the property  
 49 for a violation of a criminal law that renders the property a  
 50 contraband article ~~and shall be forfeited subject to the~~  
 51 ~~provisions of the Florida Contraband Forfeiture Act.~~

52 (b) Once property is seized pursuant to the Florida

53 Contraband Forfeiture Act, regardless of whether the civil  
 54 complaint has been filed, all settlements must be personally  
 55 approved by the head of the law enforcement agency making the  
 56 seizure. If the agency head is unavailable and a delay would  
 57 adversely affect the settlement, approval may be given by a  
 58 subordinate of the agency head who is designated to grant such  
 59 authority ~~Notwithstanding any other provision of the Florida~~  
 60 ~~Contraband Forfeiture Act, except the provisions of paragraph~~  
 61 ~~(a), contraband articles set forth in s. 932.701(2)(a)7. used in~~  
 62 ~~violation of any provision of the Florida Contraband Forfeiture~~  
 63 ~~Act, or in, upon, or by means of which any violation of the~~  
 64 ~~Florida Contraband Forfeiture Act has taken or is taking place,~~  
 65 ~~shall be seized and shall be forfeited subject to the provisions~~  
 66 ~~of the Florida Contraband Forfeiture Act.~~

67 (c) 1. At the time of seizure of property or entry of a  
 68 restraining order, the state acquires provisional title to the  
 69 property that is seized or subject to the restraining order. A  
 70 forfeiture under the Florida Contraband Forfeiture Act is not  
 71 final, and title or other indicia of ownership, other than  
 72 provisional title, do not pass to a seizing agency until the  
 73 title to the seized property is perfected in accordance with the  
 74 Florida Contraband Forfeiture Act ~~All rights to, interest in,~~  
 75 ~~and title to contraband articles used in violation of s. 932.702~~  
 76 ~~shall immediately vest in the seizing law enforcement agency~~  
 77 ~~upon seizure.~~

78 2. If at least 90 days have elapsed since the arrest of

79 the owner of the property and the seizing agency has failed to  
 80 locate the owner after making a diligent effort, the seized  
 81 property is deemed a contraband article that is subject to  
 82 forfeiture under the Florida Contraband Forfeiture Act.

83 (d) The seizing agency may not use the seized property for  
 84 any purpose until the rights to, interest in, and title to the  
 85 seized property are perfected in accordance with the Florida  
 86 Contraband Forfeiture Act. This section does not prohibit use or  
 87 operation necessary for reasonable maintenance of seized  
 88 property. Reasonable efforts shall be made to maintain seized  
 89 property in such a manner as to minimize loss of value.

90 (2) (a) Personal property may be seized at the time the  
 91 property owner is arrested ~~of the violation~~ or subsequent to the  
 92 arrest ~~violation~~, if the person entitled to notice is notified  
 93 at the time of the seizure or by certified mail, return receipt  
 94 requested, that there is a right to an adversarial preliminary  
 95 hearing after the seizure to determine whether probable cause  
 96 exists to believe that such property has been or is being used  
 97 in violation of a criminal law that renders the property a  
 98 contraband article ~~the Florida Contraband Forfeiture Act.~~

99 Seizing agencies shall make a diligent effort to notify the  
 100 person entitled to notice of the seizure. Notice provided by  
 101 certified mail must be mailed within 5 working days after the  
 102 seizure and must state that a person entitled to notice may  
 103 request an adversarial preliminary hearing within 15 days after  
 104 receiving such notice. When a postseizure, adversarial

105 preliminary hearing as provided in this section is desired, a  
106 request must be made in writing by certified mail, return  
107 receipt requested, to the seizing agency. The seizing agency  
108 shall set and notice the hearing, which must be held within 10  
109 days after the request is received or as soon as practicable  
110 thereafter.

111 (b) Real property may not be seized or restrained, other  
112 than by lis pendens, subsequent to the arrest of the owner of  
113 the property for a violation of a criminal law that renders the  
114 property a contraband article ~~the Florida Contraband Forfeiture~~  
115 ~~Act~~ until the persons entitled to notice are afforded the  
116 opportunity to attend the preseizure adversarial preliminary  
117 hearing. A lis pendens may be obtained by any method authorized  
118 by law. Notice of the adversarial preliminary hearing shall be  
119 by certified mail, return receipt requested. The purpose of the  
120 adversarial preliminary hearing is to determine whether probable  
121 cause exists to believe that such property has been used in  
122 violation of a criminal law that renders the property a  
123 contraband article ~~the Florida Contraband Forfeiture Act~~. The  
124 seizing agency shall make a diligent effort to notify any person  
125 entitled to notice of the seizure. The preseizure adversarial  
126 preliminary hearing provided herein shall be held within 10 days  
127 after ~~of~~ the filing of the lis pendens or as soon as  
128 practicable.

129 (c) When an adversarial preliminary hearing is held, the  
130 court shall review the verified affidavit and any other

131 supporting documents and take any testimony to determine whether  
132 there is probable cause to believe that the owner of the  
133 property violated a criminal law that renders the property a  
134 contraband article ~~property was used, is being used, was~~  
135 ~~attempted to be used, or was intended to be used in violation of~~  
136 ~~the Florida Contraband Forfeiture Act.~~ If probable cause is  
137 established, the court shall authorize the seizure or continued  
138 seizure of the subject contraband. A copy of the findings of the  
139 court shall be provided to any person entitled to notice.

140 (d) If the court determines that probable cause exists to  
141 believe that the owner of the property violated a criminal law  
142 that renders the property a contraband article ~~such property was~~  
143 ~~used in violation of the Florida Contraband Forfeiture Act,~~ the  
144 court shall order the property restrained by the least  
145 restrictive means to protect against disposal, waste, or  
146 continued illegal use of such property pending disposition of  
147 the forfeiture proceeding. The court may order the claimant to  
148 post a bond or other adequate security equivalent to the value  
149 of the property.

150 (6) ~~(a) Property may not be forfeited under the Florida~~  
151 ~~Contraband Forfeiture Act unless the seizing agency establishes~~  
152 ~~by a preponderance of the evidence that the owner either knew,~~  
153 ~~or should have known after a reasonable inquiry, that the~~  
154 ~~property was being employed or was likely to be employed in~~  
155 ~~criminal activity.~~

156 ~~(a) (b)~~ A bona fide lienholder's interest that has been

157 perfected in the manner prescribed by law prior to the seizure  
 158 may not be forfeited under the Florida Contraband Forfeiture Act  
 159 ~~unless the seizing agency establishes by a preponderance of the~~  
 160 ~~evidence that the lienholder had actual knowledge, at the time~~  
 161 ~~the lien was made, that the property was being employed or was~~  
 162 ~~likely to be employed in criminal activity.~~ If a lienholder's  
 163 interest is not subject to forfeiture under the requirements of  
 164 this section, such interest shall be preserved by the court by  
 165 ordering the lienholder's interest to be paid as provided in s.  
 166 932.7055.

167 (b)~~(e)~~ Property titled or registered between husband and  
 168 wife jointly by the use of the conjunctives "and," "and/or," or  
 169 "or," in the manner prescribed by law prior to the seizure, may  
 170 not be forfeited under the Florida Contraband Forfeiture Act  
 171 unless the seizing agency establishes by a preponderance of the  
 172 evidence that the coowner either knew or had reason to know,  
 173 after reasonable inquiry, that such property was employed or was  
 174 likely to be employed in criminal activity.

175 (c)~~(d)~~ A vehicle that is rented or leased from a company  
 176 engaged in the business of renting or leasing vehicles, which  
 177 vehicle was rented or leased in the manner prescribed by law  
 178 prior to the seizure, may not be forfeited under the Florida  
 179 Contraband Forfeiture Act, and no fine, penalty, or  
 180 administrative charge, other than reasonable and customary  
 181 charges for towing and storage, shall be imposed by any  
 182 governmental agency on the company which rented or leased the

183 ~~vehicle, unless the seizing agency establishes by preponderance~~  
 184 ~~of the evidence that the renter or lessor had actual knowledge,~~  
 185 ~~at the time the vehicle was rented or leased, that the vehicle~~  
 186 ~~was being employed or was likely to be employed in criminal~~  
 187 ~~activity.~~ When a vehicle that is rented or leased from a company  
 188 engaged in the business of renting or leasing vehicles is seized  
 189 under the Florida Contraband Forfeiture Act, upon learning the  
 190 address or phone number of the company, the seizing law  
 191 enforcement agency shall, as soon as practicable, inform the  
 192 company that the vehicle has been seized and is available for  
 193 the company to take possession upon payment of the reasonable  
 194 and customary charges for towing and storage.

195 Section 3. Subsections (8), (9), and (11) of section  
 196 932.704, Florida Statutes, are amended to read:

197 932.704 Forfeiture proceedings.-

198 ~~(8)(a) Upon clear and convincing evidence that the~~  
 199 ~~contraband article was being used in violation of the Florida~~  
 200 ~~Contraband Forfeiture Act,~~ The court shall order the seized  
 201 property forfeited to the seizing law enforcement agency upon  
 202 clear and convincing evidence that:

203 1. The property has been or is being used in violation of  
 204 a criminal law that renders the property a contraband article.

205 2. The claimant is the owner of the property.

206 3. The owner was prosecuted for the criminal violation  
 207 that formed the basis for the forfeiture proceeding, and has:

208 a. Been placed into a pretrial intervention program;



- 209 b. Been placed into a diversion program;
- 210 c. Been placed into a program for confidential informants,
- 211 as defined in s. 914.28;
- 212 d. Entered a plea of guilty;
- 213 e. Entered a plea of nolo contendere; or
- 214 f. Been found guilty at trial, regardless of adjudication
- 215 of guilt.

216 (b) The final order of forfeiture by the court shall  
 217 perfect in the law enforcement agency right, title, and interest  
 218 in and to such property, subject only to the rights and  
 219 interests of bona fide lienholders, and shall relate back to the  
 220 date of seizure.

221 (9) (a) When the claimant prevails at the conclusion of the  
 222 forfeiture proceeding, if the seizing agency decides not to  
 223 appeal, the seized property shall be released immediately to the  
 224 person entitled to possession of the property as determined by  
 225 the court. If the court finds that a perfected security interest  
 226 applies to the property or the criminal case that formed the  
 227 basis for the forfeiture proceeding was discharged by acquittal,  
 228 dismissal, or nolle prosequi, the seizing agency shall return  
 229 the property to the owner within 5 days thereafter ~~Under such~~  
 230 ~~circumstances, the seizing agency shall not assess any towing~~  
 231 ~~charges, storage fees, administrative costs, or maintenance~~  
 232 ~~costs against the claimant with respect to the seized property~~  
 233 ~~or the forfeiture proceeding.~~

234 (b) When the claimant prevails at the conclusion of the

235 forfeiture proceeding, any decision to appeal must be made by  
 236 the chief administrative official of the seizing agency, or his  
 237 or her designee. The trial court shall require the seizing  
 238 agency to pay to the claimant the reasonable loss of value of  
 239 the seized property when the claimant prevails at trial or on  
 240 appeal and the seizing agency retained the seized property  
 241 during the trial or appellate process. The trial court shall  
 242 also require the seizing agency to pay to the claimant any loss  
 243 of income directly attributed to the continued seizure of  
 244 income-producing property during the trial or appellate process.  
 245 If the claimant prevails under this subsection ~~on appeal~~, the  
 246 seizing agency shall immediately release the seized property to  
 247 the person entitled to possession of the property as determined  
 248 by the court, pay any cost as assessed by the court, and may not  
 249 assess any towing charges, storage fees, administrative costs,  
 250 or maintenance costs against the claimant with respect to the  
 251 seized property or the forfeiture proceeding.

252 (11) (a) The Department of Law Enforcement, in consultation  
 253 with the Florida Sheriffs Association and the Florida Police  
 254 Chiefs Association, shall develop guidelines and training  
 255 procedures to be used by state and local law enforcement  
 256 agencies and state attorneys in implementing the Florida  
 257 Contraband Forfeiture Act. At least annually, each state or  
 258 local law enforcement agency that seizes property for the  
 259 purpose of forfeiture shall ~~periodically~~ review such seizures ~~of~~  
 260 ~~assets made by the agency's law enforcement officers, any~~

261 settlements, and any forfeiture proceedings initiated by the law  
 262 enforcement agency, to determine whether they ~~such seizures,~~  
 263 ~~settlements, and forfeitures~~ comply with the Florida Contraband  
 264 Forfeiture Act and the guidelines adopted under this subsection.  
 265 If the review suggests deficiencies, the state or local law  
 266 enforcement agency shall promptly take action to comply with the  
 267 Florida Contraband Forfeiture Act.

268 (b) The determination as to ~~of~~ whether an agency will file  
 269 a civil forfeiture action is ~~must be~~ the sole responsibility of  
 270 the head of the agency or his or her designee.

271 (c) ~~(b)~~ The determination as to ~~of~~ whether to seize  
 272 currency must be made by supervisory personnel. The agency's  
 273 legal counsel must be notified as soon as possible after a  
 274 determination is made.

275 (d) The employment, salary, promotion, or other  
 276 compensation of any law enforcement officer may not be dependent  
 277 on the ability of the officer to meet a quota for seizures.

278 (e) A seizing agency shall adopt and implement written  
 279 policies, procedures, and training to ensure compliance with all  
 280 applicable legal requirements regarding seizing, maintaining,  
 281 and the forfeiture of property under the Florida Contraband  
 282 Forfeiture Act.

283 (f) When property is seized for forfeiture, the probable  
 284 cause supporting the seizure must be promptly reviewed by  
 285 supervisory personnel. The seizing agency's legal counsel must  
 286 be notified as soon as possible of all seizures and shall

287 conduct a review to determine whether there is legal sufficiency  
288 to proceed with a forfeiture action.

289 (g) Each seizing agency shall adopt and implement written  
290 policies and procedures promoting the prompt release of seized  
291 property as may be required by the act or by agency  
292 determination when there is no legitimate basis for holding  
293 seized property. To help ensure that property is not wrongfully  
294 held after seizure, each law enforcement agency must adopt  
295 written policies and procedures ensuring that all asserted  
296 claims of interest in seized property are promptly reviewed for  
297 potential validity.

298 (h) The settlement of any forfeiture action must be  
299 consistent with the Florida Contraband Forfeiture Act and the  
300 policy of the seizing agency.

301 (i) Law enforcement agency personnel involved in the  
302 seizure of property for forfeiture shall receive basic training  
303 and continuing education as required by the Florida Contraband  
304 Forfeiture Act. Each agency shall maintain records demonstrating  
305 each law enforcement officer's compliance with this requirement.  
306 Among other things, the training must address the legal aspects  
307 of forfeiture, including, but not limited to, search and seizure  
308 and other constitutional considerations.

309 Section 4. Subsection (3) and paragraph (c) of subsection  
310 (5) of section 932.7055, Florida Statutes, are amended to read:

311 932.7055 Disposition of liens and forfeited property.—

312 (3) If the forfeited property is subject to a lien

313 preserved by the court as provided in s. 932.703(6)(a)

314 ~~932.703(6)(b)~~, the agency shall:

315 (a) Sell the property with the proceeds being used towards  
316 satisfaction of any liens; or

317 (b) Have the lien satisfied prior to taking any action  
318 authorized by subsection (1).

319 (5)

320 (c) An agency or organization, other than the seizing  
321 agency, that wishes to receive such funds shall apply to the  
322 sheriff or chief of police for an appropriation and its  
323 application shall be accompanied by a written certification that  
324 the moneys will be used for an authorized purpose. Such requests  
325 for expenditures shall include a statement describing  
326 anticipated recurring costs for the agency for subsequent fiscal  
327 years. An agency or organization that receives money pursuant to  
328 this subsection shall provide an accounting for such moneys and  
329 shall furnish the same reports as an agency of the county or  
330 municipality that receives public funds. Such funds may be  
331 expended in accordance with the following procedures:

332 1. Such funds may be used only for school resource  
333 officer, crime prevention, safe neighborhood, drug abuse  
334 education, or drug prevention programs or such other law  
335 enforcement purposes as the board of county commissioners or  
336 governing body of the municipality deems appropriate.

337 2. Such funds shall not be a source of revenue to meet  
338 normal operating needs of the law enforcement agency.

339           3. ~~After July 1, 1992, and during every fiscal year~~  
340 ~~thereafter,~~ Any local law enforcement agency that acquires at  
341 least \$15,000 pursuant to the Florida Contraband Forfeiture Act  
342 within a fiscal year must expend or donate no less than 25 ~~15~~  
343 percent of such proceeds for the support or operation of any  
344 drug treatment, drug abuse education, drug prevention, crime  
345 prevention, safe neighborhood, or school resource officer  
346 program or programs ~~program(s)~~. The local law enforcement agency  
347 has the discretion to determine which program or programs  
348 ~~program(s)~~ will receive the designated proceeds.

349  
350 Notwithstanding the drug abuse education, drug treatment, drug  
351 prevention, crime prevention, safe neighborhood, or school  
352 resource officer minimum expenditures or donations, the sheriff  
353 and the board of county commissioners or the chief of police and  
354 the governing body of the municipality may agree to expend or  
355 donate such funds over a period of years if the expenditure or  
356 donation of such minimum amount in any given fiscal year would  
357 exceed the needs of the county or municipality for such program  
358 or programs ~~program(s)~~. ~~Nothing in this section precludes~~ The  
359 minimum requirement for expenditure or donation of forfeiture  
360 proceeds in excess of the minimum amounts established in this  
361 subparagraph does not preclude expenditures or donations in  
362 excess of that amount herein.

363           Section 5. Section 932.7061, Florida Statutes, is created  
364 to read:

365 932.7061 Reporting seized property for forfeiture.—

366 (1) Every law enforcement agency shall submit an annual  
367 report to the Department of Law Enforcement indicating whether  
368 the agency has seized or forfeited property under the Florida  
369 Contraband Forfeiture Act. A law enforcement agency receiving or  
370 expending forfeited property or proceeds from the sale of  
371 forfeited property in accordance with the Florida Contraband  
372 Forfeiture Act shall submit a completed annual report by October  
373 10 documenting the receipts and expenditures. The report shall  
374 be submitted in an electronic form, maintained by the Department  
375 of Law Enforcement in consultation with the Office of Program  
376 Policy Analysis and Government Accountability, to the entity  
377 that has budgetary authority over such agency and to the  
378 Department of Law Enforcement. The annual report must, at a  
379 minimum, specify the type, approximate value, court case number,  
380 type of offense, disposition of property received, and amount of  
381 any proceeds received or expended.

382 (2) The Department of Law Enforcement shall submit an  
383 annual report to the Office of Program Policy Analysis and  
384 Government Accountability compiling the information and data in  
385 the annual reports submitted by the law enforcement agencies.  
386 The annual report shall also contain a list of law enforcement  
387 agencies that have failed to meet the reporting requirements and  
388 a summary of any action taken against the noncomplying agency by  
389 the office of Chief Financial Officer.

390 (3) The law enforcement agency and the entity having

391 budgetary control over the law enforcement agency may not  
392 anticipate future forfeitures or proceeds therefrom in the  
393 adoption and approval of the budget for the law enforcement  
394 agency.

395 Section 6. Section 932.7062, Florida Statutes, is created  
396 to read:

397 932.7062 Penalty for noncompliance with reporting  
398 requirements.—A seizing agency that fails to comply with the  
399 reporting requirements in s. 932.7061 is subject to a civil fine  
400 of \$5,000, to be determined by the Chief Financial Officer and  
401 payable to the General Revenue Fund. However, such agency is not  
402 subject to the fine if, within 60 days after receipt of written  
403 notification from the Department of Law Enforcement of  
404 noncompliance with the reporting requirements of the Florida  
405 Contraband Forfeiture Act, the agency substantially complies  
406 with those requirements. The Department of Law Enforcement shall  
407 submit any substantial noncompliance to the office of Chief  
408 Financial Officer, which shall be responsible for the  
409 enforcement of this section.

410 Section 7. Paragraphs (a) and (c) of subsection (9) of  
411 section 322.34, Florida Statutes, are amended to read:

412 322.34 Driving while license suspended, revoked, canceled,  
413 or disqualified.—

414 (9) (a) A motor vehicle that is driven by a person under  
415 the influence of alcohol or drugs in violation of s. 316.193 is  
416 subject to seizure and forfeiture under ss. 932.701-932.7062



417 ~~932.706~~ and is subject to liens for recovering, towing, or  
 418 storing vehicles under s. 713.78 if, at the time of the offense,  
 419 the person's driver license is suspended, revoked, or canceled  
 420 as a result of a prior conviction for driving under the  
 421 influence.

422 (c) Notwithstanding ~~s. 932.703(1)(e)~~ or s. 932.7055, when  
 423 the seizing agency obtains a final judgment granting forfeiture  
 424 of the motor vehicle under this section, 30 percent of the net  
 425 proceeds from the sale of the motor vehicle shall be retained by  
 426 the seizing law enforcement agency and 70 percent shall be  
 427 deposited in the General Revenue Fund for use by regional  
 428 workforce boards in providing transportation services for  
 429 participants of the welfare transition program. In a forfeiture  
 430 proceeding under this section, the court may consider the extent  
 431 that the family of the owner has other public or private means  
 432 of transportation.

433 Section 8. Paragraph (a) of subsection (4) of section  
 434 323.001, Florida Statutes, is amended to read:

435 323.001 Wrecker operator storage facilities; vehicle  
 436 holds.—

437 (4) The requirements for a written hold apply when the  
 438 following conditions are present:

439 (a) The officer has probable cause to believe the vehicle  
 440 should be seized and forfeited under the Florida Contraband  
 441 Forfeiture Act, ss. 932.701-932.7062 ~~932.706~~;

442 Section 9. Paragraph (b) of subsection (3) of section

443 328.07, Florida Statutes, is amended to read:

444 328.07 Hull identification number required.—

445 (3)

446 (b) If any of the hull identification numbers required by  
 447 the United States Coast Guard for a vessel manufactured after  
 448 October 31, 1972, do not exist or have been altered, removed,  
 449 destroyed, covered, or defaced or the real identity of the  
 450 vessel cannot be determined, the vessel may be seized as  
 451 contraband property by a law enforcement agency or the division,  
 452 and shall be subject to forfeiture pursuant to ss. 932.701-  
 453 932.7062 ~~932.706~~. Such vessel may not be sold or operated on the  
 454 waters of the state unless the division receives a request from  
 455 a law enforcement agency providing adequate documentation or is  
 456 directed by written order of a court of competent jurisdiction  
 457 to issue to the vessel a replacement hull identification number  
 458 which shall thereafter be used for identification purposes. No  
 459 vessel shall be forfeited under the Florida Contraband  
 460 Forfeiture Act when the owner unknowingly, inadvertently, or  
 461 neglectfully altered, removed, destroyed, covered, or defaced  
 462 the vessel hull identification number.

463 Section 10. Paragraph (c) of subsection (2) of section  
 464 817.625, Florida Statutes, is amended to read:

465 817.625 Use of scanning device or reencoder to defraud;  
 466 penalties.—

467 (2)

468 (c) Any person who violates subparagraph (a)1. or

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469 | subparagraph (a)2. shall also be subject to the provisions of  
470 | ss. 932.701-932.7062 ~~932.706~~.

471 |       Section 11. This act shall take effect July 1, 2016.