

By Senator Gutman

34-1134-98

1 A bill to be entitled
2 An act relating to controlled substances;
3 amending s. 893.12, F.S.; deleting the
4 requirement that a copy of the record of the
5 destruction of seized controlled substances be
6 sent to the Drug Enforcement Administration;
7 providing an effective date.

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

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11 Section 1. Paragraph (a) of subsection (1) of section
12 893.12, Florida Statutes, is amended to read:

13 893.12 Contraband; seizure, forfeiture, sale.--

14 (1) All substances controlled by this chapter and all
15 listed chemicals, which substances or chemicals are handled,
16 delivered, possessed, or distributed contrary to any
17 provisions of this chapter, and all such controlled substances
18 or listed chemicals the lawful possession of which is not
19 established or the title to which cannot be ascertained, are
20 declared to be contraband, are subject to seizure and
21 confiscation by any person whose duty it is to enforce the
22 provisions of the chapter, and shall be disposed of as
23 follows:

24 (a) Except as in this section otherwise provided, the
25 court having jurisdiction shall order such controlled
26 substances or listed chemicals forfeited and destroyed. A
27 record of the place where said controlled substances or listed
28 chemicals were seized, of the kinds and quantities of
29 controlled substances or listed chemicals destroyed, and of
30 the time, place, and manner of destruction shall be kept, and
31 a return under oath reporting said destruction shall be made

1 to the court or magistrate ~~and to the United States Drug~~
2 ~~Enforcement Administration~~ by the officer who destroys them.

3 Section 2. This act shall take effect upon becoming a
4 law.

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7 SENATE SUMMARY

8 Deletes the requirement that, when an officer destroys
9 seized controlled substances in compliance with a court
10 order, a copy of the record of the destruction be sent to
11 the United States Drug Enforcement Administration.

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