

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Date: April 20, 1998 Revised: _____

Subject: State Attorney Rico Trust Fund

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Davoli</u>	<u>Smith</u>	<u>WM</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This legislation recreates the State Attorney Rico Trust Fund without modification. The State Attorney Rico Trust Fund is administered by the Justice Administration Commission.

II. Present Situation:

The receipts of the Civil RICO Trust Fund can be used for prosecution, investigation, and enforcement activities as exercised by the state attorneys. The 1998-1999 fiscal year appropriation is \$273,846.

The primary source of revenue for the Civil RICO Trust Fund is a court judgment of forfeiture against a defendant in a RICO proceeding. After all claims are satisfied, 25 percent of the funds are distributed to the appropriate prosecutorial entity, 25 percent to the investigating law enforcement agency, 25 percent to the Substance Abuse Trust Fund of the Department of Health and Rehabilitative Services, and 25 percent to the Department of Natural Resources.

III. Effect of Proposed Changes:

This bill recreates the trust fund without modification.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply recreates, without modification, an existing state trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.