

By Representatives Sanderson, Safley, Lawson, Bainter,
Flanagan, Rayson, Dennis, Ball, Maygarden, Cosgrove, Lippman
and Mackey

1 A bill to be entitled
2 An act relating to the operational
3 responsibilities of the Comptroller; amending
4 s. 17.20, F.S.; providing for the collection by
5 contractors of certain fees and expenses on
6 unclaimed property; amending s. 17.325, F.S.;
7 revising language with respect to the
8 governmental efficiency hotline and Get Lean
9 telephone calls; amending s. 687.143, F.S.;
10 providing for the deposit of certain fines into
11 the Division of Financial Investigations
12 Administrative Trust Fund; amending s. 939.01,
13 F.S.; providing for the inclusion of certain
14 costs of investigators of the Division of
15 Financial Investigations in the judgment for
16 cost in criminal convictions; providing an
17 effective date.

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

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21 Section 1. Section 17.20, Florida Statutes, is amended
22 to read:

23 17.20 Assignment of claims for collection.--

24 (1) The Department of Banking and Finance shall charge
25 the state attorneys with the collection of all claims that are
26 placed in their hands for collection of money or property for
27 the state or any county or special district, or that it
28 otherwise requires them to collect. The charges are evidence
29 of indebtedness of a state attorney against whom any charge is
30 made for the full amount of the claim, until the charges have
31 been collected and paid into the treasury of the state or of

1 the county or special district or the legal remedies of the
2 state have been exhausted, or until the state attorney
3 demonstrates to the department that the failure to collect the
4 charges is not due to negligence and the department has made a
5 proper entry of satisfaction of the charge against the state
6 attorney.

7 (2) The department may assign the collection of any
8 claim to a collection agent who is registered and in good
9 standing pursuant to chapter 559, if the department determines
10 the assignation to be cost-effective. The department may pay
11 an agent from any amount collected under the claim a fee that
12 the department and the agent have agreed upon; may authorize
13 the agent to deduct the fee from the amount collected; may
14 require the appropriate state agency, county, or special
15 district to pay the agent the fee from any amount collected by
16 the agent on its behalf; or may authorize the agent to add the
17 fee to the amount to be collected.

18 (3) Notwithstanding any other provision of law, in any
19 contract providing for the location or collection of unclaimed
20 property, the department may authorize the contractor to
21 deduct its fees and expenses for services provided under the
22 contract from the unclaimed property that the contractor has
23 recovered or collected under the contract.

24 Section 2. Subsections (1), (2), and (3) of section
25 17.325, Florida Statutes, 1996 Supplement, are amended to
26 read:

27 17.325 Governmental efficiency hotline; duties of
28 Comptroller.--

29 (1) By September 1, 1992, the Comptroller shall
30 establish and operate a statewide toll-free telephone hotline
31 to receive information or suggestions from the citizens of

1 this state on how to improve the operation of government,
2 increase governmental efficiency, and eliminate waste in
3 government. The Comptroller shall report each month to the
4 Appropriations Committee of the House of Representatives and
5 of the Senate the information or suggestions received through
6 the hotline and the evaluations and determinations made by the
7 affected agency Comptroller, as provided in subsection (3),
8 with respect to such information or suggestions.

9 (2) The Comptroller shall operate the hotline 24 hours
10 a day. The Comptroller shall advertise the availability of the
11 hotline in newspapers ~~each newspaper~~ of general circulation in
12 this state and shall provide for the posting of notices in
13 conspicuous places in state agency offices, city halls, county
14 courthouses, and places in which there is exposure to
15 significant numbers of the general public, including, but not
16 limited to, local convenience stores, shopping malls, shopping
17 centers, gasoline stations, or restaurants. The Comptroller
18 shall use the slogan, "Tell us where we can 'Get Lean'," for
19 the hotline and in advertisements for the hotline.

20 (3) Each telephone call on the hotline shall be
21 received by the office of the Comptroller, and the Comptroller
22 shall conduct an evaluation to determine if it is appropriate
23 for the telephone call to be processed as a Get Lean telephone
24 call. If it is determined that the telephone call should be
25 processed as a Get Lean telephone call, a record of each
26 suggestion or item of information received shall be entered
27 into a log kept by the Comptroller. A caller ~~call~~ on the
28 hotline may remain ~~be~~ anonymous and, if the caller provides
29 his or her name, the name shall be confidential. If a caller
30 discloses that he or she is a state employee, the Comptroller,
31 in addition to maintaining a record as required by this

1 section, may refer any information or suggestion from the
2 caller to an existing state awards program administered by the
3 ~~<U>affected agency Department of Management Services or by the~~
4 ~~State University System.~~ The affected agency ~~Comptroller~~
5 shall conduct a preliminary evaluation of the efficacy of any
6 suggestion or item of information received through the hotline
7 and shall provide the Comptroller with ~~make~~ a preliminary
8 determination of the amount of revenues the state might save
9 by implementing the suggestion or making use of such
10 information.

11 Section 3. Subsection (3) of section 687.143, Florida
12 Statutes, is amended to read:

13 687.143 Loan brokers; investigations; cease and desist
14 orders; administrative fines.--

15 (3) The department may impose and collect an
16 administrative fine against any person found to have violated
17 any provision of this act, any rule or order promulgated by
18 the department, or any written agreement entered into with the
19 department in any amount not to exceed \$5,000 for each such
20 violation. All fines collected hereunder shall be deposited
21 in the Division of Financial Investigations Administrative
22 Trust Fund ~~Division of Finance Regulatory Trust Fund.~~

23 Section 4. Subsection (1) of section 939.01, Florida
24 Statutes, is amended to read:

25 939.01 Judgment for costs on conviction.--

26 (1) In all criminal cases the costs of prosecution,
27 including investigative costs incurred by law enforcement
28 agencies, ~~and~~ by fire departments for arson investigations,
29 and by investigations of the Division of Financial
30 Investigations of the Department of Banking and Finance, if
31 requested and documented by such agencies, shall be included

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1 and entered in the judgment rendered against the convicted
2 person.

3 Section 5. This act shall take effect upon becoming a
4 law.

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7 HOUSE SUMMARY

8 Revises provisions of law relating to the Comptroller to:

- 9 1. Provide for fees to contractors with respect to
10 unclaimed property.
11 2. Revise language with respect to the governmental
12 efficiency hotline.
13 3. Revise requirements with respect to "Get Lean"
14 telephone calls.
15 4. Provide for the deposit of described fees into
16 the Division of Financial Investigations Administrative
17 Trust Fund.
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