

STORAGE NAME: h4591.cj

DATE: April 4, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CRIMINAL JUSTICE APPROPRIATIONS
TRUST FUND RE-CREATION BILL RESEARCH**

BILL #: HB 4591 (PCB CJ 98-11)

RELATING TO: State Attorney Rico Trust Fund

SPONSOR(S): Criminal Justice Appropriations

COMPANION BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

(1) Criminal Justice Appropriations YEAS 7 NAYS 0

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I. SUMMARY:

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

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:

Section 27.345, F.S., creates the trust fund.

Section 895.09, F.S., provides for revenues from forfeiture proceedings.

2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:

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.

3. MAJOR SOURCES OF REVENUE FOR THE FUND:

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% of the funds are distributed to the appropriate prosecutorial entity, 25% to the investigating law enforcement agency, 25% to the Substance Abuse Trust Fund of the Department of Health and Rehabilitative Services, and 25% to the Department of Natural Resources.

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B. EFFECT OF PROPOSED CHANGES:

This bill re-creates the trust fund without modification.

C. STATUTE(S) AFFECTED:

N/A

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

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 re-creates, without modification, an existing state trust fund and continues the current use of the fund.

IV. COMMENTS:

N/A

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VI. SIGNATURES:

COMMITTEE ON: CRIMINAL JUSTICE APPROPRIATIONS

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