

**STORAGE NAME:** h4591z.cj  
**DATE:** August 6, 1998

**\*\*FINAL ACTION\*\***  
**SEE FINAL ACTION STATUS SECTION**

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

**BILL #:** HB 4591  
**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
- (2)
- (3)
- (4)
- (5)

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I. FINAL ACTION STATUS:

HB 4591 passed the House on April 23, 1998; in the Senate was substituted for SB 2426 and passed on May 1, 1998. Became law without Governor's signature on May 30, 1998. Chapter Law 98-352.

II. 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.

III. 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

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the Department of Health and Rehabilitative Services, and 25% to the Department of Natural Resources.

**B. EFFECT OF PROPOSED CHANGES:**

This bill re-creates the trust fund without modification.

**C. STATUTE(S) AFFECTED:**

N/A

**IV. 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.

**V. COMMENTS:**

N/A

**VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:**

N/A

**VII. SIGNATURES:**

COMMITTEE ON: CRIMINAL JUSTICE APPROPRIATIONS

Prepared by:

Legislative Research Director:

Leslie D. Steele

James P. DeBeaugrine

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**FINAL RESEARCH PREPARED BY COMMITTEE ON CRIMINAL JUSTICE  
APPROPRIATIONS:**

Prepared by:

Legislative Research Director:

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James P. DeBeaugrine

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