

By the Committee on Criminal Justice Appropriations and Representative Villalobos

1 A bill to be entitled
2 An act relating to trust funds; creating s.
3 943.365, F.S.; creating the Federal Law
4 Enforcement Trust Fund within the Department of
5 Law Enforcement; providing for sources of
6 funds; exempting the trust fund from various
7 service charges; providing for annual
8 carryforward of funds; providing for future
9 review and termination or re-creation of the
10 trust fund; amending ss. 932.7055 and 943.362,
11 F.S., relating to duties of the department with
12 respect to the deposit of certain moneys, to
13 conform; providing an effective date.

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

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17 Section 1. Section 943.365, Florida Statutes, is
18 created to read:

19 943.365 Federal Law Enforcement Trust Fund.--

20 (1) The Federal Law Enforcement Trust Fund is created
21 within the Department of Law Enforcement. The department may
22 deposit into the trust fund receipts and revenues received as
23 a result of federal criminal, administrative, or civil
24 forfeiture proceedings and receipts and revenues received from
25 federal asset-sharing programs. The trust fund is exempt from
26 the service charges imposed by s. 215.20.

27 (2) Notwithstanding the provisions of s. 216.301 and
28 pursuant to s. 216.351, any balance in the trust fund at the
29 end of any fiscal year shall remain in the trust fund at the
30 end of the year and shall be available for carrying out the
31 purposes of the trust fund.

1 (3) Pursuant to the provisions of s. 19(f)(2), Art.
2 III of the State Constitution, the trust fund shall, unless
3 terminated sooner, be terminated on July 1, 2002. Prior to its
4 scheduled termination, the trust fund shall be reviewed as
5 provided in s. 215.3206(1) and (2).

6 Section 2. Paragraph (a) of subsection (5) of section
7 932.7055, Florida Statutes, is amended to read:

8 932.7055 Disposition of liens and forfeited
9 property.--

10 (5) If the seizing agency is a state agency, all
11 remaining proceeds shall be deposited into the General Revenue
12 Fund. However, if the seizing agency is:

13 (a) The Department of Law Enforcement, the proceeds
14 accrued pursuant to the provisions of the Florida Contraband
15 Forfeiture Act shall be deposited into the Forfeiture and
16 Investigative Support Trust Fund as provided in s. 943.362 or
17 into the department's Federal Law Enforcement Trust Fund as
18 provided in s. 943.365, as applicable.

19 Section 3. Subsection (1) of section 943.362, Florida
20 Statutes, is amended to read:

21 943.362 Forfeiture and Investigative Support Trust
22 Fund.--

23 (1) There is created the Forfeiture and Investigative
24 Support Trust Fund into which the department may deposit
25 revenues received as a result of state or federal criminal
26 proceedings, other than revenues deposited into the
27 department's Federal Law Enforcement Trust Fund under s.
28 943.365.

29 Section 4. This act shall take effect July 1 of the
30 year in which enacted.

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HOUSE SUMMARY

Creates the Federal Law Enforcement Trust Fund within the Department of Law Enforcement. Provides for sources of funds therein, and exempts the trust fund from various service charges. Provides for annual carryforward of funds in the trust fund. Provides for future review and termination or re-creation of the trust fund.