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2 An act relating to trust funds; creating s.
3 372.107, F.S.; creating the Federal Law
4 Enforcement Trust Fund within the Game and
5 Fresh Water Fish Commission; providing for
6 sources of funds; exempting the trust fund from
7 various 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. 372.73, 372.9901,
11 372.9904, and 932.7055, F.S., relating to
12 duties of the commission with respect to the
13 deposit of certain moneys, to conform;
14 providing an effective date.
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16 Be It Enacted by the Legislature of the State of Florida:
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18 Section 1. Section 372.107, Florida Statutes, is
19 created to read:

20 372.107 Federal Law Enforcement Trust Fund.--

21 (1) The Federal Law Enforcement Trust Fund is created
22 within the Game and Fresh Water Fish Commission. The
23 commission may deposit into the trust fund receipts and
24 revenues received as a result of federal criminal,
25 administrative, or civil forfeiture proceedings and receipts
26 and revenues received from federal asset-sharing programs. The
27 trust fund is exempt from the service charges imposed by s.
28 215.20.

29 (2) Notwithstanding the provisions of s. 216.301 and
30 pursuant to s. 216.351, any balance in the trust fund at the
31 end of any fiscal year shall remain in the trust fund at the

1 end of the year and shall be available for carrying out the
2 purposes of the trust fund.

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

8 Section 2. Section 372.73, Florida Statutes, is
9 amended to read:

10 372.73 Confiscation and disposition of illegally taken
11 game.--All game and freshwater fish seized under the authority
12 of this chapter shall, upon conviction of the offender or
13 sooner if the court so orders, be forfeited and given to some
14 hospital or charitable institution and receipt therefor sent
15 to the Game and Fresh Water Fish Commission. All furs or
16 hides or fur-bearing animals seized under the authority of
17 this chapter shall, upon conviction of the offender, be
18 forfeited and sent to the commission, which shall sell the
19 same and deposit the proceeds of such sale to the credit of
20 the State Game Trust Fund or into the commission's Federal Law
21 Enforcement Trust Fund as provided in s. 372.107, as
22 applicable. If any such hides or furs are seized and the
23 offender is unknown, the court shall order such hides or furs
24 sent to the Game and Fresh Water Fish Commission, which shall
25 sell such hides and furs and deposit the proceeds of such sale
26 to the credit of the State Game Trust Fund or into the
27 commission's Federal Law Enforcement Trust Fund as provided in
28 s. 372.107, as applicable.

29 Section 3. Subsection (3) of section 372.9901, Florida
30 Statutes, is amended to read:

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1 372.9901 Seizure of illegal devices; disposition;
2 appraisal; forfeiture.--

3 (3) Upon conviction of the violator, the property, if
4 owned by the person convicted, shall be forfeited to the state
5 under the procedure set forth in ss. 372.312 through 372.318,
6 where not inconsistent with this section. All amounts received
7 from the sale or other disposition of the property shall be
8 paid into the State Game Trust Fund or into the commission's
9 Federal Law Enforcement Trust Fund as provided in s. 372.107,
10 as applicable. If the property is not sold or converted, it
11 shall be delivered to the director of the Game and Fresh Water
12 Fish Commission.

13 Section 4. Subsection (3) of section 372.9904, Florida
14 Statutes, is amended to read:

15 372.9904 Seizure of illegal devices; disposition;
16 appraisal; forfeiture.--

17 (3) Upon conviction of the violator, the property, if
18 owned by the person convicted, shall be forfeited to the state
19 under the procedure set forth in ss. 372.312-372.318, when not
20 inconsistent with this section. All amounts received from the
21 sale or other disposition of the property shall be paid into
22 the State Game Trust Fund or into the commission's Federal Law
23 Enforcement Trust Fund as provided in s. 372.107, as
24 applicable. If the property is not sold or converted, it
25 shall be delivered to the director of the Game and Fresh Water
26 Fish Commission.

27 Section 5. Paragraph (e) of subsection (5) of section
28 932.7055, Florida Statutes, is amended to read:

29 932.7055 Disposition of liens and forfeited
30 property.--

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

4 (e) The Game and Fresh Water Fish Commission, the
5 proceeds accrued pursuant to the provisions of the Florida
6 Contraband Forfeiture Act shall be deposited into the State
7 Game Trust Fund as provided in ss. 372.73, 372.9901, and
8 372.9904 or into the commission's Federal Law Enforcement
9 Trust Fund as provided in s. 372.107, as applicable.

10 Section 6. This act shall take effect July 1 of the
11 year in which enacted.