

By the Committee on General Government Appropriations and
Representative K. Pruitt

1 A bill to be entitled
2 An act relating to trust funds; creating s.
3 250.175, F.S.; creating the Federal Law
4 Enforcement Trust Fund within the Department of
5 Military Affairs; 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 s. 932.7055, F.S.,
11 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 250.175, Florida Statutes, is
18 created to read:

19 250.175 Federal Law Enforcement Trust Fund.--

20 (1) The Federal Law Enforcement Trust Fund is created
21 within the Department of Military Affairs. 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 (j) 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 (j) The Department of Military Affairs, the proceeds
14 accrued from federal forfeiture sharing pursuant to 21 U.S.C.
15 ss. 881(e)(1)(A) and (3), 18 U.S.C. s. 981(e)(2), and 19
16 U.S.C. s. 1616a shall be deposited into the Armory Board Trust
17 Fund and used for purposes authorized by such federal
18 provisions based on the department's budgetary authority or
19 into the department's Federal Law Enforcement Trust Fund as
20 provided in s. 250.175, as applicable.

21 Section 3. This act shall take effect July 1 of the
22 year in which enacted.

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25 HOUSE SUMMARY

26
27 Creates the Federal Law Enforcement Trust Fund within the
28 Department of Military Affairs. Provides for sources of
29 funds therein, and exempts the trust fund from various
30 service charges. Provides for annual carryforward of
31 funds in the trust fund. Provides for future review and
termination or re-creation of the trust fund.