

By the Committee on Criminal Justice

307-606A-00

1 A bill to be entitled
2 An act relating to trust funds; creating s.
3 339.082, F.S.; creating the Federal Law
4 Enforcement Trust Fund within the Department of
5 Transportation; providing for sources of funds;
6 exempting the trust fund from various service
7 charges; providing for annual carryforward of
8 funds; providing for future review and
9 termination or re-creation of the trust fund;
10 amending s. 932.7055, F.S., relating to duties
11 of the department with respect to the deposit
12 of certain moneys, to conform; providing an
13 expiration date and a contingent effective
14 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 339.082, Florida Statutes, is
19 created to read:

20 339.082 Federal Law Enforcement Trust Fund.--

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

28 (2) Notwithstanding the provisions of s. 216.301 and
29 pursuant to s. 216.351, any balance in the trust fund at the
30 end of any fiscal year shall remain in the trust fund at the
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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, 2004. Before its
6 scheduled termination, the trust fund must be reviewed as
7 provided in s. 215.3206(1) and (2).

8 Section 2. Paragraph (k) is added to subsection (5) of
9 section 932.7055, Florida Statutes, to read:

10 932.7055 Disposition of liens and forfeited
11 property.--

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

15 (k) The Department of Transportation, the proceeds
16 accrued pursuant to the provisions of the Florida Contraband
17 Forfeiture Act shall be deposited into the State
18 Transportation Trust Fund to be used for purposes of drug
19 interdiction or into the department's Federal Law Enforcement
20 Trust Fund as provided in s. 339.082, as applicable.

21 Section 3. This act shall take effect upon becoming a
22 law, but it shall not take effect unless it is enacted by at
23 least a three-fifths vote of the membership of each house of
24 the Legislature.

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27 SENATE SUMMARY

28 Creates a Federal Law Enforcement Trust Fund in the
29 Department of Transportation to receive moneys from
30 federal forfeiture proceedings and moneys from federal
31 asset-sharing programs. Provides purposes of the fund.