

By the Committees on Criminal Justice Appropriations,  
Crime & Punishment and Representatives Ball, Flanagan and  
Brummer

1                                   A bill to be entitled  
2           An act relating to money laundering; creating  
3           s. 311.12, F.S.; providing for development and  
4           implementation of a statewide seaport security  
5           plan; providing for a fingerprint-based  
6           criminal history check of an applicant for  
7           employment and current employees at seaports;  
8           providing for inspections of seaports to  
9           determine compliance with minimum security  
10          standards and report of results of inspections  
11          performed; amending s. 560.103, F.S.; limiting  
12          the definition of the term "authorized vendor"  
13          as used in the Money Transmitters' Code to  
14          businesses located in this state; creating s.  
15          560.1073, F.S.; providing criminal penalties  
16          for making or filing with the Department of  
17          Banking and Finance certain false or misleading  
18          statements or documents; amending s. 560.111,  
19          F.S.; reducing the department's burden of  
20          proving knowing intent to defraud; amending s.  
21          560.114, F.S.; expanding the department's  
22          disciplinary authority; amending s. 560.117,  
23          F.S.; requiring the department to notify  
24          licensees suspected of certain code violations  
25          and permit such licensees to correct such  
26          violations before bringing disciplinary action;  
27          providing for an administrative fine; amending  
28          s. 560.118, F.S.; revising requirements for  
29          examinations, reports, and audits of money  
30          transmitters; providing a criminal penalty for  
31          violations of the section; amending s. 560.123,

1 F.S.; revising standards for graduated  
2 penalties involving currency or payment  
3 instruments under the Florida Control of Money  
4 Laundering in Money Transmitters Act; providing  
5 that the common law corpus delicti rule does  
6 not apply to prosecutions under the Money  
7 Transmitters' Code; providing for admissibility  
8 of a defendant's confession under certain  
9 circumstances; amending s. 560.125, F.S.;  
10 providing graduated criminal penalties;  
11 increasing fines; providing for a civil  
12 penalty; providing that the common law corpus  
13 delicti rule does not apply to prosecutions  
14 under the Money Transmitters' Code; providing  
15 for admissibility of a defendant's confession  
16 under certain circumstances; amending s.  
17 560.205, F.S.; requiring the submission of  
18 fingerprints by applicants for registration  
19 under the Payment Instruments and Funds  
20 Transmission Act; amending s. 560.211, F.S.;  
21 providing a criminal penalty for failing to  
22 comply with recordkeeping requirements;  
23 amending s. 560.306, F.S.; providing standards  
24 for qualifying for registration under the Check  
25 Cashing and Foreign Currency Exchange Act;  
26 amending s. 560.310, F.S.; providing a criminal  
27 penalty for failure to comply with  
28 recordkeeping requirements; amending s. 655.50,  
29 F.S.; revising standards for graduated  
30 penalties involving monetary instruments under  
31 the Florida Control of Money Laundering in

1 Financial Institutions Act; providing that the  
2 common law corpus delicti rule does not apply  
3 to prosecutions under the Money Transmitters'  
4 Code; providing for admissibility of a  
5 defendant's confession under certain  
6 circumstances; amending s. 893.145, F.S.;  
7 redefining the term "drug paraphernalia";  
8 amending s. 893.147, F.S.; providing a criminal  
9 penalty for transportation of drug  
10 paraphernalia; amending s. 895.02, F.S.;  
11 expanding the definition of the term  
12 "racketeering activity"; amending s. 896.101,  
13 F.S.; redefining the terms "transaction" and  
14 "financial transaction"; defining the terms  
15 "knowing" and "petitioner"; providing that  
16 specific circumstances do not constitute a  
17 defense to a prosecution; providing for  
18 criminal penalties, fines, and civil penalties;  
19 providing for injunctions; providing for  
20 seizure warrants; providing for immunity from  
21 liability; providing that the common law corpus  
22 delicti rule does not apply to prosecutions  
23 under the Money Transmitters' Code; providing  
24 for admissibility of a defendant's confession  
25 under certain circumstances; amending s.  
26 896.103, F.S.; conforming a statutory cross  
27 reference; creating ss. 896.104, 896.105,  
28 896.106, and 896.107, F.S.; providing  
29 definitions; providing criminal penalties for  
30 evading reporting or registration requirements  
31 in specific financial transactions; providing

1 exceptions for undercover law enforcement  
2 purposes; providing for fugitive  
3 disentanglement; providing for informant  
4 rewards; amending s. 921.0022, F.S.; adding  
5 specified monetary transactions to the Criminal  
6 Punishment Code offense severity ranking chart;  
7 creating s. 943.032, F.S.; creating the  
8 Financial Crimes Analysis Center and Financial  
9 Transaction Database within the Florida  
10 Department of Law Enforcement; providing  
11 requirements; providing appropriations for  
12 certain purposes; providing for 15 FTE and  
13 \$1,600,000 from the State Transportation Fund  
14 to the Department of Transportation, Office of  
15 Motor Carrier Compliance, to create contraband  
16 interdiction teams; specifying composition of  
17 FTE positions; specifying purpose of contraband  
18 interdiction teams; requiring the Department of  
19 Transportation to seek additional funding from  
20 federal grants and forfeiture proceedings;  
21 authorizing the Department of Transportation to  
22 amend its budget; providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. Section 311.12, Florida Statutes, is  
27 created to read:

28 311.12 Seaport security.--

29 (1) The Office of Drug Control within the Executive  
30 Office of the Governor, in consultation with the Florida  
31 Seaport Transportation and Economic Development Council, and

1 in conjunction with the Florida Department of Law Enforcement  
2 and local law enforcement agencies having primary authority  
3 over the affected seaports, shall develop, by January 1, 2001,  
4 a statewide security plan based upon the Florida Seaport  
5 Security Assessment 2000 conducted by the Office of Drug  
6 Control. Such plan shall establish statewide minimum  
7 standards for seaport security including the prevention of  
8 criminal activity including money laundering. The statewide  
9 seaport security plan shall identify the funding needs for  
10 security requirements of all relevant ports and shall  
11 recommend mechanisms to fund those needs including an analysis  
12 of the ability of seaports to provide funding for necessary  
13 improvements. The statewide seaport security plan shall be  
14 submitted to the Speaker of the House of Representatives and  
15 the President of the Senate and the chairs of the fiscal  
16 committees of the House of Representatives and Senate for  
17 review on or before January 1, 2001.

18 (2) All seaports, as identified pursuant to s.  
19 311.09(1), in conjunction with and pending review and approval  
20 by the Office of Drug Control, within the Executive Office of  
21 the Governor, and the Florida Department of Law Enforcement,  
22 and in consultation with the Florida Seaport Transportation  
23 and Economic Development Council, shall no later than January  
24 31, 2001, develop and draft individual seaport security plans  
25 particular to the specific and identifiable needs of their  
26 respective seaports.

27 (a) Each seaport security plan shall adhere to the  
28 statewide minimum standards established pursuant to subsection  
29 (1).

30  
31

1       (b) All such seaports shall allow unimpeded access to  
2 the affected ports for purposes of inspections by the  
3 Department of Law Enforcement as authorized by this section.

4       (3) A fingerprint-based criminal history check shall  
5 be performed on any applicant for employment or current  
6 employee, as designated by each security plan required by  
7 subsection (2), who will be working within the property of or  
8 have regular access to any seaport listed in s. 311.09(1). The  
9 costs of such checks shall be paid by the seaport or employing  
10 entity or any person so checked. The applicant or employee  
11 shall file a complete set of fingerprints taken in a manner  
12 required by the Department of Law Enforcement and the security  
13 plan. These fingerprints shall be submitted to the Department  
14 of Law Enforcement for state processing and to the Federal  
15 Bureau of Investigation for federal processing. The results of  
16 the checks shall be reported to the seaports.

17       (4) The affected seaports shall implement the security  
18 plans developed under this section by April 30, 2002,  
19 contingent upon legislative approval of the statewide security  
20 plan established pursuant to subsection (1). The Department of  
21 Law Enforcement, or any entity selected by the department,  
22 shall conduct no less than once annually an unannounced  
23 inspection of each seaport listed in s. 311.09(1) to determine  
24 whether the seaport is meeting the minimum standards  
25 established under the authority of this section. The  
26 Department of Law Enforcement, in consultation with the Office  
27 of Drug Control within the Executive Office of the Governor,  
28 shall complete a report indicating the results of all such  
29 inspections conducted during the year and any suggestions or  
30 concerns developed by reason of such inspections by no later  
31 than December 31 of each year. A copy of the report shall be

1 provided to the Governor, the President of the Senate, the  
2 Speaker of the House of Representatives, and the chief  
3 administrator of each seaport inspected. The report shall, to  
4 the extent possible, include responses from the chief  
5 administrator of any seaport about which suggestions have been  
6 made or security concerns raised, indicating what actions, if  
7 any, have been taken or are planned to be taken in response to  
8 the suggestions or concerns noted.

9 (5) Nothing in this section shall be construed as  
10 preventing any seaport from implementing security measures  
11 that are more stringent, greater than, or supplemental to, the  
12 minimum standards established by this section.

13 Section 2. Subsection (2) of section 560.103, Florida  
14 Statutes, is amended to read:

15 560.103 Definitions.--As used in the code, unless the  
16 context otherwise requires:

17 (2) "Authorized vendor" means a person designated by a  
18 registrant to engage in the business of a money transmitter on  
19 behalf of the registrant at locations in this state pursuant  
20 to a written contract with the registrant.

21 Section 3. Section 560.1073, Florida Statutes, is  
22 created to read:

23 560.1073 False or misleading statements or supporting  
24 documents; penalty.--Any person who, personally or otherwise,  
25 files with the department, or signs as the duly authorized  
26 representative for filing with the department, any financial  
27 statement or any document in support thereof which is required  
28 by law or rule with intent to deceive and with knowledge that  
29 the statement or document is materially false or materially  
30 misleading commits a felony of the third degree, punishable as  
31 provided in s. 775.082, s. 775.083, or s. 775.084.

1 Section 4. Subsection (1) of section 560.111, Florida  
2 Statutes, is amended to read:

3 560.111 Prohibited acts and practices.--

4 (1) It is unlawful for any money transmitter or money  
5 transmitter-affiliated party to:

6 (a) ~~Knowingly~~ Receive or possess itself of any  
7 property otherwise than in payment of a just demand, and, with  
8 intent to deceive or defraud, to omit to make or cause to be  
9 made a full and true entry thereof in its books and accounts,  
10 or to concur in omitting to make any material entry thereof;

11 (b) Embezzle, abstract, or misapply any money,  
12 property, or thing of value of the money transmitter or  
13 authorized vendor with intent to deceive or defraud such money  
14 transmitter or authorized vendor;

15 (c) Make any false entry in any book, report, or  
16 statement of such money transmitter or authorized vendor with  
17 intent to deceive or defraud such money transmitter,  
18 authorized vendor, or another person, or with intent to  
19 deceive the department, any other state or federal ~~appropriate~~  
20 regulatory agency, or any authorized representative appointed  
21 to examine or investigate the affairs of such money  
22 transmitter or authorized vendor;

23 (d) Engage in an act that violates 18 U.S.C. s. 1956,  
24 31 U.S.C. s. 5324, or any other law, rule, or regulation of  
25 another state or of the United States relating to the business  
26 of money transmission or usury which may cause the denial or  
27 revocation of a money transmitter license or registration in  
28 such jurisdiction;

29 (e) Deliver or disclose to the department or any of  
30 its employees any examination report, report of condition,  
31 report of income and dividends, audit, account, statement, or

1 document known by it to be fraudulent or false as to any  
2 material matter; or  
3 (f) ~~Knowingly~~ Place among the assets of such money  
4 transmitter or authorized vendor any note, obligation, or  
5 security that the money transmitter or authorized vendor does  
6 not own or that to the person's knowledge is fraudulent or  
7 otherwise worthless, or for any such person to represent to  
8 the department that any note, obligation, or security carried  
9 as an asset of such money transmitter or authorized vendor is  
10 the property of the money transmitter or authorized vendor and  
11 is genuine if it is known to such person that such  
12 representation is false or that such note, obligation, or  
13 security is fraudulent or otherwise worthless.

14 Section 5. Section 560.114, Florida Statutes, is  
15 amended to read:

16 560.114 Disciplinary actions.--

17 (1) The following actions by a money transmitter or  
18 money transmitter-affiliated party are violations of the code  
19 and constitute grounds for the issuance of a cease and desist  
20 order, the issuance of a removal order, the denial of a  
21 registration application or the suspension or revocation of  
22 any registration previously issued pursuant to the code, or  
23 the taking of any other action within the authority of the  
24 department pursuant to the code:

25 (a) ~~Knowing~~ Failure to comply with any provision of  
26 the code, any rule or order adopted pursuant thereto, or any  
27 written agreement entered into with the department.

28 (b) Fraud, misrepresentation, deceit, or gross  
29 negligence in any transaction involving money transmission,  
30 regardless of reliance thereon by, or damage to, a money  
31 transmitter customer.

1 (c) Fraudulent misrepresentation, circumvention, or  
2 concealment of any matter required to be stated or furnished  
3 to a money transmitter customer pursuant to the code,  
4 regardless of reliance thereon by, or damage to, such  
5 customer.

6 (d) False, deceptive, or misleading advertising ~~by a~~  
7 ~~money transmitter or authorized vendor.~~

8 (e) Failure to maintain, preserve, and keep available  
9 for examination all books, accounts, or other documents  
10 required by the code, by any rule or order adopted pursuant to  
11 the code, or by any agreement entered into with the  
12 department.

13 ~~(f) Any fact or condition that exists that, if it had~~  
14 ~~existed or had been known to exist at the time the money~~  
15 ~~transmitter applied for registration, would have been grounds~~  
16 ~~for denial of registration.~~

17 (f)(g) A willful Refusal to permit the examination or  
18 inspection of books and records in an investigation or  
19 examination by the department, pursuant to the provisions of  
20 the code, or to comply with a subpoena issued by the  
21 department.

22 (g)(h) Failure of the money transmitter or authorized  
23 vendor to pay a judgment recovered in any court in this state  
24 by a claimant in an action arising out of a money transmission  
25 transaction within 30 days after the judgment becomes final.

26 (h)(i) Engaging in an ~~a prohibited~~ act or practice  
27 proscribed by s. 560.111.

28 (i)(j) Insolvency or operating in an unsafe and  
29 unsound manner.

30 (j)(k) Failure by a money transmitter to remove a  
31 money transmitter-affiliated party after the department has

1 issued and served upon the money transmitter a final order  
2 setting forth a finding that the money transmitter-affiliated  
3 party has ~~knowingly~~ violated any provision of the code.

4 ~~(2) In addition to the acts specified in subsection~~  
5 ~~(1), the following acts are grounds for denial of registration~~  
6 ~~or for revocation, suspension, or restriction of registration~~  
7 ~~previously granted:~~

8 (k)(a) Making any A material misstatement or  
9 misrepresentation or committing any fraud of fact in an  
10 initial or renewal application for registration.

11 (l)(b) Committing any act resulting in Having an  
12 application for registration, or a registration or its  
13 equivalent, to practice any profession or occupation being  
14 denied, suspended, revoked, or otherwise acted against by a  
15 registering authority in any jurisdiction or a finding by an  
16 appropriate regulatory body of engaging in unlicensed activity  
17 as a money transmitter within any jurisdiction for fraud or  
18 dishonest dealing.

19 (m)(c) Committing any act resulting in Having a  
20 registration or its equivalent, or an application for  
21 registration, to practice any profession or occupation being  
22 denied, suspended, or otherwise acted against by a registering  
23 authority in any jurisdiction for a violation of 18 U.S.C. s.  
24 1956, 31 U.S.C. s. 5324, or any other law, rule, or regulation  
25 of another state or of the United States relating to the  
26 business of money transmission or usury which may cause the  
27 denial or revocation of a money transmitter license or  
28 registration in such jurisdiction.

29 (n)(d) Having been convicted of or found guilty of, or  
30 having pleaded guilty or nolo contendere to, any felony or  
31 crime punishable by imprisonment of 1 year or more under the

1 law of any state or of the United States which involves a  
2 crime involving fraud, moral turpitude, or dishonest dealing,  
3 without regard to whether a judgment of conviction has been  
4 entered by the court.

5 (o)~~(e)~~ Having been convicted of or found guilty of, or  
6 having pleaded guilty or nolo contendere to, a crime under 18  
7 U.S.C. s. 1956 or 31 U.S.C. s. 5324, without regard to whether  
8 a judgment of conviction has been entered by the court.

9 (p) Having been convicted of or found guilty of, or  
10 having pleaded guilty or nolo contendere to, misappropriation,  
11 conversion, or unlawful withholding of moneys that belong to  
12 others and were received in the conduct of the business of the  
13 money transmitter.

14 (q) Failure to inform the department in writing within  
15 15 days after pleading guilty or nolo contendere to, or being  
16 convicted or found guilty of, any felony or crime punishable  
17 by imprisonment of 1 year or more under the law of any state  
18 or of the United States, or of any crime involving fraud,  
19 moral turpitude, or dishonest dealing, without regard to  
20 whether a judgment of conviction has been entered by the  
21 court.

22 (r) Aiding, assisting, procuring, advising, or  
23 abetting any person in violating a provision of this code or  
24 any order or rule of the department.

25 (s) Failure to timely pay any fee, charge, or fine  
26 under the code.

27 (t) Failure to timely pay any judgment entered by any  
28 court within 30 days after the judgment becomes final.

29 (u) Engaging or holding oneself out to be engaged in  
30 the business of a money transmitter without the proper  
31 registration.

1        ~~(v)(f)~~ Any action that would be grounds for denial of  
2 a registration or for revocation, suspension, or restriction  
3 of a registration previously granted under part III of this  
4 chapter.

5        (2) The department may issue a cease and desist order  
6 or removal order, suspend or revoke any previously issued  
7 registration, or take any other action within the authority of  
8 the department against a money transmitter based on any fact  
9 or condition that exists and that, if it had existed or been  
10 known to exist at the time the money transmitter applied for  
11 registration, would have been grounds for denial of  
12 registration.

13        (3) Each money transmitter is responsible for any act  
14 of its authorized vendors if the money transmitter should have  
15 known of the act or, if the money transmitter has actual  
16 knowledge that such act is a violation of the code and the  
17 money transmitter willfully allowed such act to continue. Such  
18 responsibility is limited to conduct engaged in by the  
19 authorized vendor pursuant to the authority granted to it by  
20 the money transmitter.

21        (4) If a registration granted under this code expires  
22 or is surrendered by the registrant during the pendency of an  
23 administrative action under this code, the proceeding may  
24 continue as if the registration were still in effect.

25        Section 6. Section 560.117, Florida Statutes, is  
26 amended to read:

27        560.117 Administrative fines; enforcement.--

28        (1) The department may, by complaint, initiate a  
29 proceeding pursuant to chapter 120 to impose an administrative  
30 fine against any person found to have violated any provision  
31 of the code or a cease and desist order of the department or

1 any written agreement with the department. However, the  
2 department shall give notice, in writing, if it suspects that  
3 the licensee has violated any of the following provisions of  
4 the code and shall give the licensee 15 days after actual  
5 notice is served on the person within which to correct the  
6 violation before bringing disciplinary action under the code:

7 (a) Failure to timely pay any fee, charge, or fine  
8 under the code;

9 (b) Failure to timely pay any judgment entered by any  
10 court within 30 days after the judgment becomes final;

11 (c) Failure to timely notify the department of a  
12 change of control of a money transmitter as required by s.  
13 560.127; or

14 (d) Failure to timely notify the department of any  
15 change of address or fictitious name as required by s.

16 ~~560.205.No such proceeding shall be initiated and no fine~~  
17 ~~shall accrue pursuant to this section until after such person~~  
18 ~~has been notified in writing of the nature of the violation~~  
19 ~~and has been afforded a reasonable period of time, as set~~  
20 ~~forth in the notice, to correct the violation and has failed~~  
21 ~~to do so.~~

22  
23 Except as provided in this section, such fine may not exceed  
24 \$100 a day for each violation. The department may excuse any  
25 such fine with a showing of good cause by the person being  
26 fined.

27 (2) If the department finds that one or more grounds  
28 exist for the suspension, revocation, or refusal to renew or  
29 continue a license or registration issued under this chapter,  
30 the department may, in addition to or in lieu of suspension,  
31 revocation, or refusal to renew or continue a license or

1 registration, impose a fine in an amount up to \$10,000 for  
2 each violation of this chapter.

3 ~~(3)(2)~~ Notwithstanding any other provision of this  
4 section, the department may impose a fine not to exceed \$1,000  
5 per day for each day that a person violates the code by  
6 engaging in the business of a money transmitter without being  
7 registered.

8 ~~(4)(3)~~ Any administrative fine levied by the  
9 department may be enforced by the department by appropriate  
10 proceedings in the circuit court of the county in which such  
11 person resides or maintains a principal office. In any  
12 administrative or judicial proceeding arising under this  
13 section, a party may elect to correct the violation asserted  
14 by the department and, upon the party's doing so, any fine  
15 ceases to accrue; however, an election to correct the  
16 violation does not render moot any administrative or judicial  
17 proceeding.

18 Section 7. Section 560.118, Florida Statutes, is  
19 amended to read:

20 560.118 Examinations, reports, and internal audits;  
21 penalty.--

22 (1)(a) The department may conduct an examination of a  
23 money transmitter or authorized vendor by providing not less  
24 than 15 days' advance notice to the money transmitter or  
25 authorized vendor. However, if the department suspects that  
26 the money transmitter or authorized vendor has violated any  
27 provisions of this code or any criminal laws of this state or  
28 of the United States or is engaging in an unsafe and unsound  
29 practice, the department may, at any time without advance  
30 notice, conduct an examination of all affairs, activities,  
31 transactions, accounts, business records, and assets of any

1 money transmitter or any money transmitter-affiliated party  
2 for the protection of the public. For the purpose of  
3 examinations, the department may administer oaths and examine  
4 the directors, officers, principal shareholders, employees,  
5 and vendors of a money transmitter or any of its affiliated  
6 parties concerning their operations and business activities  
7 and affairs. ~~however, whenever the department has reason to~~  
8 ~~believe that a money transmitter or authorized vendor is~~  
9 ~~engaging in an unsafe and unsound practice, or has violated or~~  
10 ~~is violating any provision of the code, the department may~~  
11 ~~make an examination of such money transmitter or authorized~~  
12 ~~vendor without providing advance notice.~~ The department may  
13 accept an audit or examination from any appropriate regulatory  
14 agency or from an independent third party with respect to the  
15 operations of a money transmitter or an authorized vendor. The  
16 department may also make a joint or concurrent examination  
17 with any state or federal ~~appropriate~~ regulatory agency. The  
18 department may furnish a copy of all examinations made of such  
19 money transmitter or authorized vendor to the money  
20 transmitter and any appropriate regulatory agency provided  
21 that such agency agrees to abide by the confidentiality  
22 provisions as set forth in chapter 119.

23 (b) Persons subject to this chapter who are examined  
24 shall make available to the department or its examiners the  
25 accounts, records, documents, files, information, assets, and  
26 matters which are in their immediate possession or control and  
27 which relate to the subject of the examination. Those  
28 accounts, records, documents, files, information, assets, and  
29 matters not in their immediate possession shall be made  
30 available to the department or the department's examiners  
31 within 10 days after actual notice is served on such persons.

1        (c)~~(b)~~ The ~~department may require an examination or~~  
2 audit of a money transmitter required under this section may  
3 be performed or authorized vendor by an independent third  
4 party that has been approved by the department or by a  
5 certified public accountant authorized to do business in the  
6 United States. The examination of a money transmitter or  
7 authorized vendor required under this section may be performed  
8 by an independent third party that has been approved by the  
9 department or by a certified public accountant authorized to  
10 do business in the United States. The cost of such an  
11 independent examination or audit shall be directly borne by  
12 the money transmitter or authorized vendor.

13        (d)~~(c)~~ The department may recover the costs of a  
14 regular examination and supervision of a money transmitter or  
15 authorized vendor; however, the department may not recover the  
16 costs of more than one examination in any 12-month period  
17 unless the department has determined that the money  
18 transmitter or authorized vendor is operating in an unsafe or  
19 unsound or unlawful manner.

20        (e)~~(d)~~ The department may, by rule, set a maximum  
21 per-day examination cost for a regular examination. Such  
22 per-day cost may be less than that required to fully  
23 compensate the department for costs associated with the  
24 examination. For the purposes of this section, "costs" means  
25 the salary and travel expenses directly attributable to the  
26 field staff examining the money transmitter or authorized  
27 vendor, and the travel expenses of any supervisory staff  
28 required as a result of examination findings. Reimbursement  
29 for such costs incurred under this subsection must be  
30 postmarked no later than 30 days after the date of receipt of  
31 a notice stating that such costs are due. The department may

1 levy a late payment penalty of up to \$100 per day or part  
2 thereof that a payment is overdue, unless the late payment  
3 penalty is excused for good cause. In excusing any such late  
4 payment penalty, the department may consider the prior payment  
5 history of the money transmitter or authorized vendor.

6 (2)(a) Annual financial reports that are required to  
7 be filed under the code or any rules adopted thereunder must  
8 be audited by an independent third party that has been  
9 approved by the department or by a certified public accountant  
10 authorized to do business in the United States. The money  
11 transmitter or authorized vendor shall directly bear the cost  
12 of the audit. This paragraph does not apply to any seller of  
13 payment instruments who can prove to the satisfaction of the  
14 department that it has a combined total of fewer than 50  
15 employees and authorized vendors or that its annual payment  
16 instruments issued from its activities as a payment instrument  
17 seller are less than \$200,000.

18 (b)(a) The department may, by rule, require each money  
19 transmitter or authorized vendor to submit quarterly reports  
20 to the department. The department may require that each report  
21 contain a declaration by an officer, or any other responsible  
22 person authorized to make such declaration, that the report is  
23 true and correct to the best of her or his knowledge and  
24 belief. Such report must include such information as the  
25 department by rule requires for that type of money  
26 transmitter.

27 (c)(b) The department may levy an administrative fine  
28 of up to \$100 per day for each day the report is past due,  
29 unless it is excused for good cause. In excusing any such  
30 administrative fine, the department may consider the prior  
31 payment history of the money transmitter or authorized vendor.

1       (3) Any person who willfully violates this section or  
2 fails to comply with any lawful written demand or order of the  
3 department made under this section commits a felony of the  
4 third degree, punishable as provided in s. 775.082, s.  
5 775.083, or s. 775.084.

6           Section 8. Subsection (8) of section 560.123, Florida  
7 Statutes, is amended, and subsection (9) is added to said  
8 section, to read:

9           560.123 Florida control of money laundering in the  
10 Money Transmitters' Code; reports of transactions involving  
11 currency or monetary instruments; when required; purpose;  
12 definitions; penalties.--

13           (8)(a) Except as provided in paragraph (b), a person  
14 who willfully violates any provision of this section ~~or~~  
15 ~~chapter 896~~ commits a misdemeanor of the first degree,  
16 punishable as provided in s. 775.082 or s. 775.083.

17           (b) A person who willfully violates any provision of  
18 this section ~~or chapter 896~~, if the violation involves is:

19           1. Currency or payment instruments committed in  
20 ~~furtherance of the commission of any other violation of any~~  
21 ~~law of this state or committed as part of a pattern of illegal~~  
22 ~~activity involving financial transactions exceeding \$300 but~~  
23 less than \$20,000 in any 12-month period, commits a felony of  
24 the third degree, punishable as provided in s. 775.082, s.  
25 775.083, or s. 775.084.

26           2. Currency or payment instruments totaling committed  
27 ~~as part of a pattern of illegal activity involving financial~~  
28 ~~transactions exceeding \$20,000 but less than \$100,000 in any~~  
29 12-month period, commits a felony of the second degree,  
30 punishable as provided in s. 775.082, s. 775.083, or s.  
31 775.084.

1           3. Currency or payment instruments totaling or  
2 ~~Committed as part of a pattern of illegal activity involving~~  
3 ~~financial transactions~~ exceeding \$100,000 in any 12-month  
4 period, commits a felony of the first degree, punishable as  
5 provided in s. 775.082, s. 775.083, or s. 775.084.

6           (c) In addition to the penalties otherwise authorized  
7 by s. 775.082, s. 775.083, or s. 775.084, a person who has  
8 been convicted of or who has pleaded guilty or nolo contendere  
9 to having violated paragraph (b) may be sentenced to pay a  
10 fine not exceeding \$250,000 or twice the value of the currency  
11 or payment instruments ~~financial transaction~~, whichever is  
12 greater, except that on a second or subsequent conviction for  
13 or plea of guilty or nolo contendere to a violation of  
14 paragraph (b), the fine may be up to \$500,000 or quintuple the  
15 value of the currency or payment instruments ~~financial~~  
16 ~~transaction~~, whichever is greater.

17           (d) A person who ~~willfully~~ violates this section ~~or~~  
18 ~~chapter 896~~ is also liable for a civil penalty of not more  
19 than the greater of the value of the currency or payment  
20 instruments ~~financial transaction~~ involved or \$25,000.  
21 ~~However, such civil penalty shall not exceed \$100,000.~~

22           (9) In any prosecution brought pursuant to this  
23 section, the common law corpus delicti rule does not apply.  
24 The defendant's confession or admission is admissible during  
25 trial without the state having to prove the corpus delicti if  
26 the court finds in a hearing conducted outside the presence of  
27 the jury that the defendant's confession or admission is  
28 trustworthy. Before the court admits the defendant's  
29 confession or admission, the state must prove by a  
30 preponderance of the evidence that there is sufficient  
31 corroborating evidence that tends to establish the

1 trustworthiness of the statement by the defendant. Hearsay  
2 evidence is admissible during the presentation of evidence at  
3 the hearing. In making its determination, the court may  
4 consider all relevant corroborating evidence, including the  
5 defendant's statements.

6 Section 9. Section 560.125, Florida Statutes, is  
7 amended to read:

8 560.125 Money transmitter business by unauthorized  
9 persons; penalties.--

10 (1) A person other than a registered money transmitter  
11 or authorized vendor may not engage in the business of a money  
12 transmitter in this state unless the person is exempted from  
13 the registration requirements of the code.

14 (2) No person shall act as a vendor of a money  
15 transmitter when such money transmitter is subject to  
16 registration under the code but has not registered. Any such  
17 person becomes the principal thereof, and no longer merely  
18 acts as a vendor, and such person is liable to the holder or  
19 remitter as a principal money transmitter.

20 (3) Any person whose substantial interests are  
21 affected by a proceeding brought by the department pursuant to  
22 the code may, pursuant to s. 560.113, petition any court to  
23 enjoin the person or activity that is the subject of the  
24 proceeding from violating any of the provisions of this  
25 section. For the purpose of this subsection, any money  
26 transmitter registered pursuant to the code, any person  
27 residing in this state, and any person whose principal place  
28 of business is in this state are presumed to be substantially  
29 affected. In addition, the interests of a trade organization  
30 or association are deemed substantially affected if the  
31 interests of any of its members are so affected.

1           ~~(4) Any person who violates the provisions of this~~  
2 ~~section commits a felony of the third degree, punishable as~~  
3 ~~provided in s. 775.082, s. 775.083, or s. 775.084.~~The  
4 department may issue and serve upon any person who violates  
5 any of the provisions of this section a complaint seeking a  
6 cease and desist order in accordance with the procedures and  
7 in the manner prescribed by s. 560.112. The department may  
8 also impose an administrative fine pursuant to s.  
9 560.117~~(3)~~(2) against any person who violates any of the  
10 provisions of this section.

11           (5) A person who violates this section, if the  
12 violation involves:

13           (a) Currency or payment instruments exceeding \$300 but  
14 less than \$20,000 in any 12-month period, commits a felony of  
15 the third degree, punishable as provided in s. 775.082, s.  
16 775.083, or s. 775.084.

17           (b) Currency or payment instruments totaling \$20,000  
18 but less than \$100,000 in any 12-month period, commits a  
19 felony of the second degree, punishable as provided in s.  
20 775.082, s. 775.083, or s. 775.084.

21           (c) Currency or payment instruments totaling or  
22 exceeding \$100,000 in any 12-month period, commits a felony of  
23 the first degree, punishable as provided in s. 775.082, s.  
24 775.083, or s. 775.084.

25           (6) In addition to the penalties authorized by s.  
26 775.082, s. 775.083, or s. 775.084, a person who has been  
27 found guilty of or who has pleaded guilty or nolo contendere  
28 to having violated this section may be sentenced to pay a fine  
29 not exceeding \$250,000 or twice the value of the currency or  
30 payment instruments, whichever is greater, except that on a  
31 second or subsequent violation of this section, the fine may

1 be up to \$500,000 or quintuple the value of the currency or  
2 payment instruments, whichever is greater.

3 (7) A person who violates this section is also liable  
4 for a civil penalty of not more than the value of the currency  
5 or payment instruments involved or \$25,000, whichever is  
6 greater.

7 (8) In any prosecution brought pursuant to this  
8 section, the common law corpus delicti rule does not apply.  
9 The defendant's confession or admission is admissible during  
10 trial without the state having to prove the corpus delicti if  
11 the court finds in a hearing conducted outside the presence of  
12 the jury that the defendant's confession or admission is  
13 trustworthy. Before the court admits the defendant's  
14 confession or admission, the state must prove by a  
15 preponderance of the evidence that there is sufficient  
16 corroborating evidence that tends to establish the  
17 trustworthiness of the statement by the defendant. Hearsay  
18 evidence is admissible during the presentation of evidence at  
19 the hearing. In making its determination, the court may  
20 consider all relevant corroborating evidence, including the  
21 defendant's statements.

22 Section 10. Section 560.205, Florida Statutes, is  
23 amended to read:

24 560.205 Qualifications of applicant for registration;  
25 contents.--

26 (1) To qualify for registration under this part, an  
27 applicant must demonstrate to the department such character  
28 and general fitness as to command the confidence of the public  
29 and warrant the belief that the registered business will be  
30 operated lawfully and fairly. The department may investigate  
31 each applicant to ascertain whether the qualifications and

1 requirements prescribed by this part have been met. The  
2 department's investigation may include a criminal background  
3 investigation of all controlling shareholders, principals,  
4 officers, directors, members and responsible persons of a  
5 funds transmitter and a payment instrument seller and all  
6 persons designated by a funds transmitter or payment  
7 instrument seller as an authorized vendor. Each controlling  
8 shareholder, principal, officer, director, member, and  
9 responsible person of a funds transmitter or payment  
10 instrument seller, unless the applicant is a publicly traded  
11 corporation, a subsidiary thereof, or a subsidiary of a bank  
12 or bank holding company, shall file a complete set of  
13 fingerprints taken by an authorized law enforcement officer.  
14 Such fingerprints must be submitted to the Department of Law  
15 Enforcement or the Federal Bureau of Investigation for state  
16 and federal processing. The department may waive by rule the  
17 requirement that applicants file a set of fingerprints or the  
18 requirement that such fingerprints be processed by the  
19 Department of Law Enforcement or the Federal Bureau of  
20 Investigation.

21 (2) Each application for registration must be  
22 submitted under oath to the department on such forms as the  
23 department prescribes by rule and must be accompanied by a  
24 nonrefundable investigation fee. Such fee may not exceed \$500  
25 and may be waived by the department for just cause. The  
26 application forms shall set forth such information as the  
27 department reasonably requires, including, but not limited to:

28 (a) The name and address of the applicant, including  
29 any fictitious or trade names used by the applicant in the  
30 conduct of its business.

31

1           (b) The history of the applicant's material  
2 litigation, criminal convictions, pleas of nolo contendere,  
3 and cases of adjudication withheld.

4           (c) A description of the activities conducted by the  
5 applicant, the applicant's history of operations, and the  
6 business activities in which the applicant seeks to engage in  
7 this state.

8           (d) A list identifying the applicant's proposed  
9 authorized vendors in this state, including the location or  
10 locations in this state at which the applicant and its  
11 authorized vendors propose to conduct registered activities.

12           (e) A sample authorized vendor contract, if  
13 applicable.

14           (f) A sample form of payment instrument, if  
15 applicable.

16           (g) The name and address of the clearing financial  
17 institution or financial institutions through which the  
18 applicant's payment instruments will be drawn or through which  
19 such payment instruments will be payable.

20           (h) Documents revealing that the net worth and bonding  
21 requirements specified in s. 560.209 have been or will be  
22 fulfilled.

23           (3) Each application for registration by an applicant  
24 that is a corporation shall also set forth such information as  
25 the department reasonably requires, including, but not limited  
26 to:

27           (a) The date of the applicant's incorporation and  
28 state of incorporation.

29           (b) A certificate of good standing from the state or  
30 country in which the applicant was incorporated.

31

1 (c) A description of the corporate structure of the  
2 applicant, including the identity of any parent or subsidiary  
3 of the applicant, and the disclosure of whether any parent or  
4 subsidiary is publicly traded on any stock exchange.

5 (d) The name, business and residence addresses, and  
6 employment history for the past 5 years for each executive  
7 officer, each director, each controlling shareholder, and the  
8 responsible person who will be in charge of all the  
9 applicant's business activities in this state.

10 (e) The history of material litigation and criminal  
11 convictions, pleas of nolo contendere, and cases of  
12 adjudication withheld for each executive officer, each  
13 director, each controlling shareholder, and the responsible  
14 person who will be in charge of the applicant's registered  
15 activities.

16 (f) Copies of the applicant's audited financial  
17 statements for the current year and, if available, for the  
18 immediately preceding 2-year period. In cases where the  
19 applicant is a wholly owned subsidiary of another corporation,  
20 the parent's consolidated audited financial statements may be  
21 submitted to satisfy this requirement. An applicant who is not  
22 required to file audited financial statements may satisfy this  
23 requirement by filing unaudited financial statements verified  
24 under penalty of perjury, as provided by the department by  
25 rule.

26 (g) An applicant who is not required to file audited  
27 financial statements may file copies of the applicant's  
28 unconsolidated, unaudited financial statements for the current  
29 year and, if available, for the immediately preceding 2-year  
30 period.

31

1           (h) If the applicant is a publicly traded company,  
2 copies of all filings made by the applicant with the United  
3 States Securities and Exchange Commission, or with a similar  
4 regulator in a country other than the United States, within  
5 the year preceding the date of filing of the application.

6           (4) Each application for registration submitted to the  
7 department by an applicant that is not a corporation shall  
8 also set forth such information as the department reasonably  
9 requires, including, but not limited to:

10           (a) Evidence that the applicant is registered to do  
11 business in this state.

12           (b) The name, business and residence addresses,  
13 personal financial statement and employment history for the  
14 past 5 years for each individual having a controlling  
15 ownership interest in the applicant, and each responsible  
16 person who will be in charge of the applicant's registered  
17 activities.

18           (c) The history of material litigation and criminal  
19 convictions, pleas of nolo contendere, and cases of  
20 adjudication withheld for each individual having a controlling  
21 ownership interest in the applicant and each responsible  
22 person who will be in charge of the applicant's registered  
23 activities.

24           (d) Copies of the applicant's audited financial  
25 statements for the current year, and, if available, for the  
26 preceding 2 years. An ~~The~~ applicant who is not required to  
27 file audited financial statements may satisfy this requirement  
28 by filing unaudited financial statements verified under  
29 penalty of perjury, as provided by the department by rule.

30           (5) Each applicant shall designate and maintain an  
31 agent in this state for service of process.

1           Section 11. Subsection (5) is added to section  
2 560.211, Florida Statutes, to read:

3           560.211 Records.--

4           (5) Any person who willfully fails to comply with this  
5 section commits a felony of the third degree, punishable as  
6 provided in s. 775.082, s. 775.083, or s. 775.084.

7           Section 12. Section 560.306, Florida Statutes, is  
8 amended to read:

9           560.306 Standards.--

10          (1) In order to qualify for registration under this  
11 part, an applicant must demonstrate to the department that he  
12 or she has such character and general fitness as will command  
13 the confidence of the public and warrant the belief that the  
14 registered business will be operated lawfully and fairly. The  
15 department may investigate each applicant to ascertain whether  
16 the qualifications and requirements prescribed by this part  
17 have been met. The department's investigation may include a  
18 criminal background investigation of all controlling  
19 shareholders, principals, officers, directors, members, and  
20 responsible persons of a check casher and a foreign currency  
21 exchanger and all persons designated by a foreign currency  
22 exchanger or check casher as an authorized vendor. Each  
23 controlling shareholder, principal, officer, director,  
24 members, and responsible person of a check casher or foreign  
25 currency exchanger, unless the applicant is a publicly traded  
26 corporation, a subsidiary thereof, or a subsidiary of a bank  
27 or bank holding company, shall file a complete set of  
28 fingerprints taken by an authorized law enforcement officer.  
29 Such fingerprints must be submitted to the Department of Law  
30 Enforcement or the Federal Bureau of Investigation for state  
31 and federal processing. The department may waive by rule the

1 requirement that applicants file a set of fingerprints or the  
2 requirement that such fingerprints be processed by the  
3 Department of Law Enforcement or the Federal Bureau of  
4 Investigation.

5 (2)~~(1)~~ The department may deny registration if it  
6 finds that the applicant, or any money transmitter-affiliated  
7 party of the applicant, has been convicted of a crime ~~felony~~  
8 involving moral turpitude in any jurisdiction or of a crime  
9 which, if committed in this state, would constitute a crime  
10 ~~felony~~ involving moral turpitude under the laws of this state.  
11 For the purposes of this part, a person shall be deemed to  
12 have been convicted of a crime if such person has either  
13 pleaded guilty to or been found guilty of a charge before a  
14 court or federal magistrate, or by the verdict of a jury,  
15 irrespective of the pronouncement of sentence or the  
16 suspension thereof. The department may take into consideration  
17 the fact that such plea of guilty, or such decision, judgment,  
18 or verdict, has been set aside, reversed, or otherwise  
19 abrogated by lawful judicial process or that the person  
20 convicted of the crime received a pardon from the jurisdiction  
21 where the conviction was entered or received a certificate  
22 pursuant to any provision of law which removes the disability  
23 under this part because of such conviction.

24 (3)~~(2)~~ The department may deny an ~~initial~~ application  
25 for registration if the applicant or money  
26 transmitter-affiliated party of the applicant is the subject  
27 of a pending criminal prosecution or governmental enforcement  
28 action, in any jurisdiction, until the conclusion of such  
29 criminal prosecution or enforcement action.

30 (4)~~(3)~~ Each registration application and renewal  
31 application must specify the location at which the applicant

1 proposes to establish its principal place of business and any  
2 other location, including authorized vendors operating in this  
3 state. The registrant shall notify the department of any  
4 changes to any such locations. Any registrant may satisfy this  
5 requirement by providing the department with a list of such  
6 locations, including all authorized vendors operating in this  
7 state, not less than annually. A registrant may not transact  
8 business as a check casher or a foreign currency exchanger  
9 except pursuant to the name under which it is registered.

10 (5)~~(4)~~ Each applicant shall designate and maintain an  
11 agent in this state for service of process.

12 Section 13. Subsection (5) is added to section  
13 560.310, Florida Statutes, to read:

14 560.310 Records of check cashers and foreign currency  
15 exchangers.--

16 (5) Any person who willfully violates this section or  
17 fails to comply with any lawful written demand or order of the  
18 department made pursuant to this section commits a felony of  
19 the third degree, punishable as provided in s. 775.082, s.  
20 775.083, or s. 775.084.

21 Section 14. Subsection (10) of section 655.50, Florida  
22 Statutes, is amended, and subsection (11) is added to said  
23 section, to read:

24 655.50 Florida Control of Money Laundering in  
25 Financial Institutions Act; reports of transactions involving  
26 currency or monetary instruments; when required; purpose;  
27 definitions; penalties.--

28 (10)(a) Except as provided in paragraph (b), a person  
29 who willfully violates any provision of this section, ~~chapter~~  
30 ~~896, or any similar state or federal law~~ is guilty of a  
31

1 misdemeanor of the first degree, punishable as provided in s.  
2 775.082 or s. 775.083.

3 (b) A person who willfully violates or knowingly  
4 causes another to violate any provision of this section,  
5 ~~chapter 896, or any similar state or federal law,~~ when the  
6 violation involves is:

7 1. ~~Committed in furtherance of the commission of any~~  
8 ~~other violation of Florida law; or~~

9 2. ~~Committed as part of a pattern of illegal activity~~  
10 involving Financial transactions exceeding \$300 but less than  
11 \$20,000 in any 12-month period, is guilty of a felony of the  
12 third degree, punishable as provided in s. 775.082 or s.  
13 775.083; or

14 ~~2.3. Committed as part of a pattern of illegal~~  
15 ~~activity involving~~ Financial transactions exceeding \$20,000  
16 but less than \$100,000 in any 12-month period is guilty of a  
17 felony of the second degree, punishable as provided in s.  
18 775.082 or s. 775.083; or

19 ~~3.4. Committed as part of a pattern of illegal~~  
20 ~~activity involving~~ Financial transactions exceeding \$100,000  
21 in any 12-month period is guilty of a felony of the first  
22 degree, punishable as provided in s. 775.082 or s. 775.083.

23 (c) In addition to the penalties otherwise authorized  
24 by ss. 775.082 and 775.083, a person who has been convicted of  
25 or who has pleaded guilty or nolo contendere to having  
26 violated paragraph (b) may be sentenced to pay a fine not  
27 exceeding \$250,000 or twice the value of the financial  
28 transaction, whichever is greater, except that on a second or  
29 subsequent conviction for or plea of guilty or nolo contendere  
30 to a violation of paragraph (b), the fine may be up to  
31

1 \$500,000 or quintuple the value of the financial transaction,  
2 whichever is greater.

3 (d) A financial institution as defined in s. 655.005  
4 ~~person~~ who willfully violates this section, ~~chapter 896, or~~  
5 ~~any similar state or federal law~~ is also liable for a civil  
6 penalty of not more than the greater of the value of the  
7 financial transaction involved or \$25,000. However, the civil  
8 penalty may not exceed \$100,000.

9 (e) A person other than a financial institution as  
10 defined in s. 655.005 who violates this section is also liable  
11 for a civil penalty of not more than the greater of the value  
12 of the financial transaction involved or \$25,000.

13 (11) In any prosecution brought pursuant to this  
14 section, the common law corpus delicti rule does not apply.  
15 The defendant's confession or admission is admissible during  
16 trial without the state having to prove the corpus delicti if  
17 the court finds in a hearing conducted outside the presence of  
18 the jury that the defendant's confession or admission is  
19 trustworthy. Before the court admits the defendant's  
20 confession or admission, the state must prove by a  
21 preponderance of the evidence that there is sufficient  
22 corroborating evidence that tends to establish the  
23 trustworthiness of the statement by the defendant. Hearsay  
24 evidence is admissible during the presentation of evidence at  
25 the hearing. In making its determination, the court may  
26 consider all relevant corroborating evidence, including the  
27 defendant's statements.

28 Section 15. Section 893.145, Florida Statutes, is  
29 amended to read:

30 893.145 "Drug paraphernalia" defined.--The term "drug  
31 paraphernalia" means all equipment, products, and materials of

1 any kind which are used, intended for use, or designed for use  
2 in planting, propagating, cultivating, growing, harvesting,  
3 manufacturing, compounding, converting, producing, processing,  
4 preparing, testing, analyzing, packaging, repackaging,  
5 storing, containing, concealing, transporting, injecting,  
6 ingesting, inhaling, or otherwise introducing into the human  
7 body a controlled substance in violation of this chapter.

8 Drug paraphernalia is deemed to be contraband which shall be  
9 subject to civil forfeiture. The term includes, but is not  
10 limited to:

11 (1) Kits used, intended for use, or designed for use  
12 in the planting, propagating, cultivating, growing, or  
13 harvesting of any species of plant which is a controlled  
14 substance or from which a controlled substance can be derived.

15 (2) Kits used, intended for use, or designed for use  
16 in manufacturing, compounding, converting, producing,  
17 processing, or preparing controlled substances.

18 (3) Isomerization devices used, intended for use, or  
19 designed for use in increasing the potency of any species of  
20 plant which is a controlled substance.

21 (4) Testing equipment used, intended for use, or  
22 designed for use in identifying, or in analyzing the strength,  
23 effectiveness, or purity of, controlled substances.

24 (5) Scales and balances used, intended for use, or  
25 designed for use in weighing or measuring controlled  
26 substances.

27 (6) Diluents and adulterants, such as quinine  
28 hydrochloride, mannitol, mannite, dextrose, and lactose, used,  
29 intended for use, or designed for use in cutting controlled  
30 substances.

31

1           (7) Separation gins and sifters used, intended for  
2 use, or designed for use in removing twigs and seeds from, or  
3 in otherwise cleaning or refining, cannabis.

4           (8) Blenders, bowls, containers, spoons, and mixing  
5 devices used, intended for use, or designed for use in  
6 compounding controlled substances.

7           (9) Capsules, balloons, envelopes, and other  
8 containers used, intended for use, or designed for use in  
9 packaging small quantities of controlled substances.

10          (10) Containers and other objects used, intended for  
11 use, or designed for use in storing, or concealing, or  
12 transporting controlled substances.

13          (11) Hypodermic syringes, needles, and other objects  
14 used, intended for use, or designed for use in parenterally  
15 injecting controlled substances into the human body.

16          (12) Objects used, intended for use, or designed for  
17 use in ingesting, inhaling, or otherwise introducing cannabis,  
18 cocaine, hashish, or hashish oil into the human body, such as:

19           (a) Metal, wooden, acrylic, glass, stone, plastic, or  
20 ceramic pipes, with or without screens, permanent screens,  
21 hashish heads, or punctured metal bowls.

22           (b) Water pipes.

23           (c) Carburetion tubes and devices.

24           (d) Smoking and carburetion masks.

25           (e) Roach clips: meaning objects used to hold burning  
26 material, such as a cannabis cigarette, that has become too  
27 small or too short to be held in the hand.

28           (f) Miniature cocaine spoons, and cocaine vials.

29           (g) Chamber pipes.

30           (h) Carburetor pipes.

31           (i) Electric pipes.

1 (j) Air-driven pipes.

2 (k) Chillums.

3 (l) Bongs.

4 (m) Ice pipes or chillers.

5 Section 16. Section 893.147, Florida Statutes, is  
6 amended to read:

7 893.147 Use, possession, manufacture, delivery,  
8 transportation, or advertisement of drug paraphernalia.--

9 (1) USE OR POSSESSION OF DRUG PARAPHERNALIA.--It is  
10 unlawful for any person to use, or to possess with intent to  
11 use, drug paraphernalia:

12 (a) To plant, propagate, cultivate, grow, harvest,  
13 manufacture, compound, convert, produce, process, prepare,  
14 test, analyze, pack, repack, store, contain, or conceal a  
15 controlled substance in violation of this chapter; or

16 (b) To inject, ingest, inhale, or otherwise introduce  
17 into the human body a controlled substance in violation of  
18 this chapter.

19

20 Any person who violates this subsection is guilty of a  
21 misdemeanor of the first degree, punishable as provided in s.  
22 775.082 or s. 775.083.

23 (2) MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA.--It  
24 is unlawful for any person to deliver, possess with intent to  
25 deliver, or manufacture with intent to deliver drug  
26 paraphernalia, knowing, or under circumstances where one  
27 reasonably should know, that it will be used:

28 (a) To plant, propagate, cultivate, grow, harvest,  
29 manufacture, compound, convert, produce, process, prepare,  
30 test, analyze, pack, repack, store, contain, or conceal a  
31 controlled substance in violation of this act; or

1 (b) To inject, ingest, inhale, or otherwise introduce  
2 into the human body a controlled substance in violation of  
3 this act.

4  
5 Any person who violates this subsection is guilty of a felony  
6 of the third degree, punishable as provided in s. 775.082, s.  
7 775.083, or s. 775.084.

8 (3) DELIVERY OF DRUG PARAPHERNALIA TO A MINOR.--

9 (a) Any person 18 years of age or over who violates  
10 subsection (2) by delivering drug paraphernalia to a person  
11 under 18 years of age is guilty of a felony of the second  
12 degree, punishable as provided in s. 775.082, s. 775.083, or  
13 s. 775.084.

14 (b) It is unlawful for any person to sell or otherwise  
15 deliver hypodermic syringes, needles, or other objects which  
16 may be used, are intended for use, or are designed for use in  
17 parenterally injecting substances into the human body to any  
18 person under 18 years of age, except that hypodermic syringes,  
19 needles, or other such objects may be lawfully dispensed to a  
20 person under 18 years of age by a licensed practitioner,  
21 parent, or legal guardian or by a pharmacist pursuant to a  
22 valid prescription for same. Any person who violates the  
23 provisions of this paragraph is guilty of a misdemeanor of the  
24 first degree, punishable as provided in s. 775.082 or s.  
25 775.083.

26 (4) TRANSPORTATION OF DRUG PARAPHERNALIA.--It is  
27 unlawful to use, possess with the intent to use, or  
28 manufacture with the intent to use drug paraphernalia, knowing  
29 or under circumstances in which one reasonably should know  
30 that it will be used to transport:  
31

1           (a) A controlled substance in violation of this  
2 chapter; or

3           (b) Contraband as defined in s. 932.701(2)(a)1.  
4

5 Any person who violates this subsection commits a felony of  
6 the third degree, punishable as provided in s. 775.082, s.  
7 775.083, or s. 775.084.

8           ~~(5)~~~~(4)~~ ADVERTISEMENT OF DRUG PARAPHERNALIA.--It is  
9 unlawful for any person to place in any newspaper, magazine,  
10 handbill, or other publication any advertisement, knowing, or  
11 under circumstances where one reasonably should know, that the  
12 purpose of the advertisement, in whole or in part, is to  
13 promote the sale of objects designed or intended for use as  
14 drug paraphernalia. Any person who violates this subsection  
15 is guilty of a misdemeanor of the first degree, punishable as  
16 provided in s. 775.082 or s. 775.083.

17           Section 17. Paragraph (a) of subsection (1) of section  
18 895.02, Florida Statutes, is amended to read:

19           895.02 Definitions.--As used in ss. 895.01-895.08, the  
20 term:

21           (1) "Racketeering activity" means to commit, to  
22 attempt to commit, to conspire to commit, or to solicit,  
23 coerce, or intimidate another person to commit:

24           (a) Any crime which is chargeable by indictment or  
25 information under the following provisions of the Florida  
26 Statutes:

27           1. Section 210.18, relating to evasion of payment of  
28 cigarette taxes.

29           2. Section 403.727(3)(b), relating to environmental  
30 control.

31

- 1           3. Section 414.39, relating to public assistance  
2 fraud.
- 3           4. Section 409.920, relating to Medicaid provider  
4 fraud.
- 5           5. Section 440.105 or s. 440.106, relating to workers'  
6 compensation.
- 7           6. Part IV of chapter 501, relating to telemarketing.
- 8           7. Chapter 517, relating to sale of securities and  
9 investor protection.
- 10          8. Section 550.235, s. 550.3551, or s. 550.3605,  
11 relating to dogracing and horseracing.
- 12          9. Chapter 550, relating to jai alai frontons.
- 13          10. Chapter 552, relating to the manufacture,  
14 distribution, and use of explosives.
- 15          11. Chapter 560, relating to money transmitters, if  
16 the violation is punishable as a felony.
- 17          ~~12.11.~~ Chapter 562, relating to beverage law  
18 enforcement.
- 19          ~~13.12.~~ Section 624.401, relating to transacting  
20 insurance without a certificate of authority, s.  
21 624.437(4)(c)1., relating to operating an unauthorized  
22 multiple-employer welfare arrangement, or s. 626.902(1)(b),  
23 relating to representing or aiding an unauthorized insurer.
- 24          ~~14.13.~~ Section 655.50, relating to reports of currency  
25 transactions, when such violation is punishable as a felony.
- 26          ~~15.14.~~ Chapter 687, relating to interest and usurious  
27 practices.
- 28          ~~16.15.~~ Section 721.08, s. 721.09, or s. 721.13,  
29 relating to real estate timeshare plans.
- 30          ~~17.16.~~ Chapter 782, relating to homicide.
- 31          ~~18.17.~~ Chapter 784, relating to assault and battery.

- 1           ~~19.18~~ Chapter 787, relating to kidnapping.  
2           ~~20.19~~ Chapter 790, relating to weapons and firearms.  
3           ~~21.20~~ Section 796.03, s. 796.04, s. 796.05, or s.  
4 796.07, relating to prostitution.  
5           ~~22.21~~ Chapter 806, relating to arson.  
6           ~~23.22~~ Section 810.02(2)(c), relating to specified  
7 burglary of a dwelling or structure.  
8           ~~24.23~~ Chapter 812, relating to theft, robbery, and  
9 related crimes.  
10          ~~25.24~~ Chapter 815, relating to computer-related  
11 crimes.  
12          ~~26.25~~ Chapter 817, relating to fraudulent practices,  
13 false pretenses, fraud generally, and credit card crimes.  
14          ~~27.26~~ Chapter 825, relating to abuse, neglect, or  
15 exploitation of an elderly person or disabled adult.  
16          ~~28.27~~ Section 827.071, relating to commercial sexual  
17 exploitation of children.  
18          ~~29.28~~ Chapter 831, relating to forgery and  
19 counterfeiting.  
20          ~~30.29~~ Chapter 832, relating to issuance of worthless  
21 checks and drafts.  
22          ~~31.30~~ Section 836.05, relating to extortion.  
23          ~~32.31~~ Chapter 837, relating to perjury.  
24          ~~33.32~~ Chapter 838, relating to bribery and misuse of  
25 public office.  
26          ~~34.33~~ Chapter 843, relating to obstruction of  
27 justice.  
28          ~~35.34~~ Section 847.011, s. 847.012, s. 847.013, s.  
29 847.06, or s. 847.07, relating to obscene literature and  
30 profanity.  
31

1           ~~36.35~~ Section 849.09, s. 849.14, s. 849.15, s.  
2 849.23, or s. 849.25, relating to gambling.  
3           ~~37.36~~ Chapter 874, relating to criminal street gangs.  
4           ~~38.37~~ Chapter 893, relating to drug abuse prevention  
5 and control.  
6           ~~39.38~~ Chapter 896, relating to offenses related to  
7 financial transactions.  
8           ~~40.39~~ Sections 914.22 and 914.23, relating to  
9 tampering with a witness, victim, or informant, and  
10 retaliation against a witness, victim, or informant.  
11           ~~41.40~~ Sections 918.12 and 918.13, relating to  
12 tampering with jurors and evidence.  
13           Section 18. Section 896.101, Florida Statutes, is  
14 amended to read:  
15           896.101 Florida Money Laundering Act; definitions;  
16 penalties; injunctions; seizure warrants; immunity ~~Offense of~~  
17 ~~conduct of financial transaction involving proceeds of~~  
18 ~~unlawful activity; penalties.--~~  
19           (1) This section may be cited as the "Florida Money  
20 Laundering Act."  
21           (2) ~~(1) DEFINITIONS.--~~As used in this section, the  
22 term:  
23           (a) "Knowing that the property involved in a financial  
24 transaction represents the proceeds of some form of unlawful  
25 activity" means that the person knew the property involved in  
26 the transaction represented proceeds from some form, though  
27 not necessarily which form, of activity that constitutes a  
28 felony under state or federal law, regardless of whether or  
29 not such activity is specified in paragraph (g).  
30           (b) "Conducts" includes initiating, concluding, or  
31 participating in initiating or concluding a transaction.

1           (c) "Transaction" means a purchase, sale, loan,  
2     pledge, gift, transfer, delivery, or other disposition, and  
3     with respect to a financial institution includes a deposit,  
4     withdrawal, transfer between accounts, exchange of currency,  
5     loan, extension of credit, purchase or sale of any stock,  
6     bond, certificate of deposit, or other monetary instrument,  
7     use of a safety deposit box, or any other payment, transfer,  
8     or delivery by, through, or to a financial institution, by  
9     whatever means effected.

10           (d) "Financial transaction" means a transaction  
11     involving the movement of funds by wire or other means or  
12     involving one or more monetary instruments, which in any way  
13     or degree affects commerce, or a transaction involving the  
14     transfer of title to any real property, vehicle, vessel, or  
15     aircraft, or a transaction involving the use of a financial  
16     institution which is engaged in, or the activities of which  
17     affect, commerce in any way or degree.

18           (e) "Monetary instruments" means coin or currency of  
19     the United States or of any other country, travelers' checks,  
20     personal checks, bank checks, money orders, investment  
21     securities in bearer form or otherwise in such form that title  
22     thereto passes upon delivery, and negotiable instruments in  
23     bearer form or otherwise in such form that title thereto  
24     passes upon delivery.

25           (f) "Financial institution" means a financial  
26     institution as defined in 31 U.S.C. s. 5312 which institution  
27     is located in this state.

28           (g) "Specified unlawful activity" means any  
29     "racketeering activity" as defined in s. 895.02.

30           (h) "Knowing" means that a person knew; or, with  
31     respect to any transaction or transportation involving more

1 than \$10,000 in U.S. currency or foreign equivalent, also  
2 means should have known after reasonable inquiry, unless the  
3 person has a duty to file a federal currency transaction  
4 report, IRS Form 8300, or a like report under state law and  
5 has complied with that reporting requirement in accordance  
6 with law.

7 (i) "Petitioner" means any local, county, state, or  
8 federal law enforcement agency; the Attorney General; any  
9 state attorney; or the statewide prosecutor.

10 (3)(2) It is ~~unlawful~~ a felony of the second degree,  
11 ~~punishable as provided in s. 775.082, s. 775.083, or s.~~  
12 ~~775.084,~~for a person:

13 (a) Knowing that the property involved in a financial  
14 transaction represents the proceeds of some form of unlawful  
15 activity, to conduct or attempt to conduct such a financial  
16 transaction which in fact involves the proceeds of specified  
17 unlawful activity:

18 1. With the intent to promote the carrying on of  
19 specified unlawful activity; or

20 2. Knowing that the transaction is designed in whole  
21 or in part:

22 a. To conceal or disguise the nature, the location,  
23 the source, the ownership, or the control of the proceeds of  
24 specified unlawful activity; or

25 b. To avoid a transaction reporting requirement or  
26 money transmitters' registration requirement under state law.

27 (b) To transport or attempt to transport a monetary  
28 instrument or funds:

29 1. With the intent to promote the carrying on of  
30 specified unlawful activity; or

31

1           2. Knowing that the monetary instrument or funds  
2 involved in the transportation represent the proceeds of some  
3 form of unlawful activity and knowing that such transportation  
4 is designed in whole or in part:  
5           a. To conceal or disguise the nature, the location,  
6 the source, the ownership, or the control of the proceeds of  
7 specified unlawful activity; or  
8           b. To avoid a transaction reporting requirement or  
9 money transmitters' registration requirement under state law.  
10           (c) To conduct or attempt to conduct a financial  
11 transaction which involves property or proceeds which an  
12 investigative or law enforcement officer, or someone acting  
13 under such officer's direction, represents as being derived  
14 from, or as being used to conduct or facilitate, specified  
15 unlawful activity, when the person's conduct or attempted  
16 conduct is undertaken with the intent:  
17           1. To promote the carrying on of specified unlawful  
18 activity; or  
19           2. To conceal or disguise the nature, the location,  
20 the source, the ownership, or the control of the proceeds or  
21 property believed to be the proceeds of specified unlawful  
22 activity; or  
23           3. To avoid a transaction reporting requirement under  
24 state law.  
25           ~~(d) A person who violates this subsection is also~~  
26 ~~liable for a civil penalty of not more than the greater of the~~  
27 ~~value of the property, funds, or monetary instruments involved~~  
28 ~~in the transaction or \$10,000.~~  
29           (d)(e) For the purposes of this subsection,  
30 "investigative or law enforcement officer" means any officer  
31 of the State of Florida or political subdivision thereof, of

1 the United States, or of any other state or political  
2 subdivision thereof, who is empowered by law to conduct, on  
3 behalf of the government, investigations of, or to make  
4 arrests for, offenses enumerated in this subsection or similar  
5 federal offenses.

6 (4) It does not constitute a defense to a prosecution  
7 for any violation of this chapter that:

8 (a) Any stratagem or deception, including the use of  
9 an undercover operative or law enforcement officer, was  
10 employed.

11 (b) A facility or an opportunity to engage in conduct  
12 in violation of this act was provided.

13 (c) A law enforcement officer, or person acting under  
14 direction of a law enforcement officer, solicited a person  
15 predisposed to engage in conduct in violation of any provision  
16 of this chapter to commit a violation of this chapter in order  
17 to gain evidence against that person, provided such  
18 solicitation would not induce an ordinary law-abiding person  
19 to violate this chapter.

20  
21 This subsection does not preclude the defense of entrapment.

22 (5) A person who violates this section, if the  
23 violation involves:

24 (a) Monetary instruments exceeding \$300 but less than  
25 \$20,000 in any 12-month period, commits a felony of the third  
26 degree, punishable as provided in s. 775.082, s. 775.083, or  
27 s. 775.084.

28 (b) Monetary instruments totaling \$20,000 but less  
29 than \$100,000 in any 12-month period, commits a felony of the  
30 second degree, punishable as provided in s. 775.082, s.  
31 775.083, or s. 775.084.

1           (c) Monetary instruments totaling or exceeding  
2 \$100,000 in any 12-month period, commits a felony of the first  
3 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
4 775.084.

5           (6) In addition to the penalties authorized by s.  
6 775.082, s. 775.083, or s. 775.084, a person who has been  
7 found guilty of or who has pleaded guilty or nolo contendere  
8 to having violated this section may be sentenced to pay a fine  
9 not exceeding \$250,000 or twice the value of the monetary  
10 instruments, whichever is greater, except that for a second or  
11 subsequent violation of this section, the fine may be up to  
12 \$500,000 or quintuple the value of the monetary instruments,  
13 whichever is greater.

14           (7) A person who violates this section is also liable  
15 for a civil penalty of not more than the value of the monetary  
16 instruments involved or \$25,000, whichever is greater.

17           (8)(a) If a person is alienating or disposing of  
18 monetary instruments, or appears likely to or demonstrates an  
19 intent to alienate or dispose of monetary instruments, used in  
20 violation of this section, chapter 560, s. 655.50, or any  
21 crime listed as specified unlawful activity under this  
22 section, or monetary instruments or funds that are traceable  
23 to any such violation, the petitioner may commence a civil  
24 action in any circuit court having jurisdiction where such  
25 monetary instruments are located or have been deposited for a  
26 temporary injunction to prohibit any person from withdrawing,  
27 transferring, removing, dissipating, or disposing of any such  
28 monetary instruments of equivalent value. The temporary  
29 injunction will be obtained pursuant to Florida Civil Rule of  
30 Procedure 1.610. This section governs all temporary  
31 injunctions obtained pursuant to this section and supercedes

1 all other provisions of the rule that may be inconsistent with  
2 this section. The court shall take into account any  
3 anticipated impact the temporary injunction will have on  
4 innocent third parties or businesses, balanced against the  
5 petitioner's need to preserve the monetary instruments.

6 (b) A temporary injunction must be granted without  
7 bond to the petitioner. However, the court may authorize a  
8 respondent to post a bond equal to the amount to be enjoined  
9 and to have the injunction dissolved.

10 (c) A temporary injunction is to be entered upon  
11 application of the petitioner, ex parte and without notice or  
12 opportunity for a hearing with respect to the monetary  
13 instruments.

14 (d) Such a temporary order expires not more than 10  
15 days after the date on which the order is served, unless  
16 extended for good cause shown or unless the party against whom  
17 it is entered consents to an extension for a longer period.

18 (e) If at any time the petitioner discovers that the  
19 funds sought to be enjoined total less than \$10,000, the  
20 petitioner shall immediately inform the court and the court  
21 shall immediately dissolve the temporary injunction.

22 (f) At the termination of the temporary injunction or  
23 at any time before the termination of the temporary  
24 injunction, the petitioner may:

25 1. Obtain a warrant or other court order and seize the  
26 monetary instruments or funds and initiate a civil forfeiture  
27 action;

28 2. Obtain a warrant or other court order and seize the  
29 monetary instruments or funds for any subsequent criminal  
30 prosecution; or

31

1           3. Petition the court to extend the order for a period  
2 not longer than 10 days from the original order's termination  
3 date. At the end of the termination of the 10-day extension,  
4 the petitioner may take either of the steps outlined in  
5 subparagraph 1. or subparagraph 2. However, the petitioner may  
6 not be granted any additional extensions.

7           (g) Within 24 hours after a temporary order is served  
8 pursuant to this section, the petitioner shall furnish to both  
9 the person or entity in possession of the monetary instruments  
10 and to the owner of the monetary instruments, if known, either  
11 by certified mail, return receipt requested, or by personal  
12 service, a copy of the order entered pursuant to this section  
13 and a notice that the lawful owner of the monetary instruments  
14 being enjoined may request a hearing to contest the order  
15 entered pursuant to this section by petitioning the court that  
16 issued the order. The notice must also advise that the hearing  
17 will be held within 3 days after the request or as soon as  
18 practicable thereafter and before the expiration of the  
19 temporary order. The notice must state that the hearing will  
20 be set and noticed by the person against whom the order is  
21 entered.

22           (h) Only the lawful owner or the account holder of the  
23 monetary instruments or funds being enjoined may request a  
24 hearing to contest the order entered pursuant to this section  
25 by petitioning the court that issued the order. A hearing must  
26 be held within 3 days after the request or as soon as  
27 practicable thereafter and before the expiration of the  
28 temporary order. The hearing must be set and noticed by the  
29 lawful owner of the monetary instruments or his or her  
30 attorney. Notice of the hearing must be provided to the  
31 petitioner who procured the temporary injunction pursuant to

1 the Florida Rules of Civil Procedure but not less than 24  
2 hours before the scheduled hearing. The court may receive and  
3 consider at a hearing held pursuant to this subsection,  
4 evidence and information that would be inadmissible under the  
5 Florida Rules of Evidence. A proceeding under this subsection  
6 is governed by the Florida Rules of Civil Procedure.

7 (9)(a) The petitioner may request issuance of a  
8 warrant authorizing the seizure of property, monetary  
9 instruments, or funds subject to civil forfeiture in the same  
10 manner as provided for search warrants in chapter 933.

11 (b) Any financial institution that receives a seizure  
12 warrant pursuant to paragraph (a), temporary injunction, or  
13 other court order, may deduct from the account the funds  
14 necessary to pay any electronic transaction presented for  
15 payment where the electronic transaction was initiated prior  
16 to the time the seizure order was served on the financial  
17 institution.

18 (10) Any financial institution, licensed money  
19 transmitter, or other person served with and complying with  
20 the terms of a warrant, temporary injunction, or other court  
21 order, including any subpoena issued under the authority  
22 granted by s. 27.04, obtained in furtherance of an  
23 investigation of any crime in this section, including any  
24 crime listed as specified unlawful activity under this section  
25 or any felony violation of chapter 560, has immunity from  
26 criminal liability and shall not be liable to any person for  
27 any lawful action taken in complying with the warrant,  
28 temporary injunction, or other court order, including any  
29 subpoena issued under the authority granted by s. 27.04.

30 (11) In any prosecution brought pursuant to chapter  
31 896, the common law corpus delicti rule does not apply. The

1 defendant's confession or admission is admissible during trial  
2 without the state having to prove the corpus delicti if the  
3 court finds in a hearing conducted outside the presence of the  
4 jury that the defendant's confession or admission is  
5 trustworthy. Before the court admits the defendant's  
6 confession or admission, the state must prove by a  
7 preponderance of the evidence that there is sufficient  
8 corroborating evidence that tends to establish the  
9 trustworthiness of the statement by the defendant. Hearsay  
10 evidence is admissible during the presentation of evidence at  
11 the hearing. In making its determination, the court may  
12 consider all relevant corroborating evidence, including the  
13 defendant's statements.

14 Section 19. Section 896.103, Florida Statutes, is  
15 amended to read:

16 896.103 Transaction which constitutes separate  
17 offense.--Notwithstanding any other provision of law, for  
18 purposes of this section and ss. 896.101 and 896.102, each  
19 individual currency transaction exceeding \$10,000 which is  
20 made in violation of the provisions of s. 896.102(1) or each  
21 financial transaction in violation of the provisions of s.  
22 896.101(3)~~(2)~~which involves the movement of funds in excess  
23 of \$10,000 shall constitute a separate, punishable offense.

24 Section 20. Section 896.104, Florida Statutes, is  
25 created to read:

26 896.104 Structuring transactions to evade reporting or  
27 registration requirements prohibited.--

28 (1) DEFINITIONS.--For purposes of this section, the  
29 terms "structure" or "structuring" mean that a person, acting  
30 alone, or in conjunction with, or on behalf of, other persons,  
31 conducts or attempts to conduct one or more transactions in

1 currency, in any amount, at one or more financial  
2 institutions, on one or more days, in any manner, for the  
3 purpose of evading currency transaction reporting requirements  
4 provided by state or federal law. "In any manner" includes,  
5 but is not limited to, the breaking down of a single sum of  
6 currency exceeding \$10,000 into smaller sums, including sums  
7 at or below \$10,000, or the conduct of a transaction, or  
8 series of currency transactions, at or below \$10,000. The  
9 transaction or transactions need not exceed the \$10,000  
10 reporting threshold at any single financial institution on any  
11 single day in order to meet the definition of "structure" or  
12 "structuring" provided in this subsection.

13 (2) DOMESTIC COIN AND CURRENCY TRANSACTIONS.--A person  
14 may not, for the purpose of evading the reporting and  
15 registration requirements of chapter 896, chapter 655, or  
16 chapter 560, or s. 5313(a) or s. 5325 of Title 31, United  
17 States Code, or any rules or regulations adopted under those  
18 chapters and sections, when some portion of the activity by  
19 that person occurs in this state:

20 (a) Cause or attempt to cause a person or financial  
21 institution in this state to fail to file an applicable report  
22 or registration required under those chapters and sections or  
23 any rule or regulation adopted under any of those chapters and  
24 sections;

25 (b) Cause or attempt to cause a person or financial  
26 institution in this state to file an applicable report  
27 required under those chapters and sections or any rule or  
28 regulation adopted under those chapters and sections which  
29 contains a material omission or misstatement of fact; or

30 (c) Structure or assist in structuring, or attempt to  
31 structure or assist in structuring, any financial transaction

1 with or involving one or more financial institutions in this  
2 state.

3 (3) INTERNATIONAL MONETARY INSTRUMENT TRANSACTIONS.--A  
4 person may not, for the purpose of evading the reporting or  
5 registration requirements of chapter 896, chapter 655, or  
6 chapter 560, or s. 5316 of Title 31, United States Code, when  
7 some portion of the activity by that person occurs in this  
8 state:

9 (a) Fail to file an applicable registration or report  
10 required by those chapters and sections, or cause or attempt  
11 to cause a person to fail to file such a report;

12 (b) File or cause or attempt to cause a person to file  
13 an applicable registration or report required under those  
14 chapters and sections which contains a material omission or  
15 misstatement of fact; or

16 (c) Structure or assist in structuring, or attempt to  
17 structure or assist in structuring, any importation or  
18 exportation of currency or monetary instruments to, from, or  
19 through financial institutions in this state.

20 (4) CRIMINAL PENALTIES.--

21 (a) A person who violates this section, if the  
22 violation involves:

23 1. Monetary instruments exceeding \$300 but less than  
24 \$20,000 in any 12-month period, commits a felony of the third  
25 degree, punishable as provided in s. 775.082, s. 775.083, or  
26 s. 775.084.

27 2. Monetary instruments totaling or exceeding \$20,000  
28 but less than \$100,000 in any 12-month period, commits a  
29 felony of the second degree, punishable as provided in s.  
30 775.082, s. 775.083, or s. 775.084.

31

1           3. Monetary instruments totaling or exceeding \$100,000  
2 in any 12-month period, commits a felony of the first degree,  
3 punishable as provided in s. 775.082, s. 775.083, or s.  
4 775.084.

5           (b) In addition to the penalties authorized by s.  
6 775.082, s. 775.083, or s. 775.084, a person who has been  
7 found guilty of or who has pleaded guilty or nolo contendere  
8 to having violated this section may be sentenced to pay a fine  
9 not exceeding \$250,000 or twice the value of the monetary  
10 instruments, whichever is greater, except that for a second or  
11 subsequent violation of this section, the fine may be up to  
12 \$500,000 or quintuple the value of the monetary instruments,  
13 whichever is greater.

14           (c) A person who violates this section is also liable  
15 for a civil penalty of not more than the value of the monetary  
16 instruments involved or \$25,000, whichever is greater.

17           (5) INFERENCE.--Proof that a person engaged for  
18 monetary consideration in the business of a funds transmitter  
19 as defined in s. 560.103(9) and who is transporting more than  
20 \$10,000 in currency, or foreign equivalent, without being  
21 registered as a money transmitter or designated as an  
22 authorized vendor under the provisions of chapter 560, gives  
23 rise to an inference that the transportation was done with  
24 knowledge of the registration requirements of chapter 560 and  
25 the reporting requirements of this chapter.

26           (6) CONSTRUCTION.--This section may not be construed  
27 to require any new or additional reporting requirements on any  
28 entity obligated to file reports under state or federal law.

29           Section 21. Section 896.105, Florida Statutes, is  
30 created to read:  
31

1           896.105 Penalty provisions not applicable to law  
2 enforcement.--The penalty provisions of this chapter,  
3 including those directed at reporting violations or the  
4 conduct or attempted conduct of unlawful financial  
5 transactions, the unlawful transportation or attempted  
6 transportation of monetary instruments, and the concealment of  
7 unlawful proceeds or their ownership are not applicable to law  
8 enforcement officers who engage in aspects of such activity  
9 for bona fide authorized undercover law enforcement purposes  
10 in the course of or in relation to an active criminal  
11 investigation, active criminal intelligence gathering, or  
12 active prosecution.

13           Section 22. Section 896.106, Florida Statutes, is  
14 created to read:

15           896.106 Fugitive disentitlement.--A person may not use  
16 the resources of the courts of this state in furtherance of a  
17 claim in any related civil forfeiture action or a claim in  
18 third-party proceeding in any related forfeiture action if  
19 that person purposely leaves the jurisdiction of this state or  
20 the United States; declines to enter or reenter this state to  
21 submit to its jurisdiction; or otherwise evades the  
22 jurisdiction of the court in which a criminal case is pending  
23 against the person.

24           Section 23. Section 896.107, Florida Statutes, is  
25 created to read:

26           896.107 Rewards for informants.--

27           (1) A law enforcement agency conducting any  
28 investigation of a violation of this chapter may pay a reward  
29 to an individual who provides original information that leads  
30 to a recovery of a criminal fine, civil penalty, or  
31 forfeiture.

1       (2) The law enforcement agency shall determine the  
2 amount of a reward under this section. The law enforcement  
3 agency may not pay more than the amount of reward authorized  
4 for similar activity by any federal law or guideline in effect  
5 at the time the information described in subsection (1) was  
6 provided.

7       (3) An officer or employee of the United States, a  
8 state or local government, or a foreign government who in the  
9 performance of official duties provides information described  
10 in subsection (1) is not eligible for a reward under this  
11 section.

12       (4) Payment of a reward does not affect the  
13 admissibility of testimony in any court proceeding.

14       Section 24. Paragraphs (g), (h), and (i) of subsection  
15 (3) of section 921.0022, Florida Statutes, are amended to  
16 read:

17       921.0022 Criminal Punishment Code; offense severity  
18 ranking chart.--

19       (3) OFFENSE SEVERITY RANKING CHART

Florida	Felony	
Statute	Degree	Description
		(g) LEVEL 7
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.

1	402.319(2)	2nd	Misrepresentation and negligence
2			or intentional act resulting in
3			great bodily harm, permanent
4			disfiguration, permanent
5			disability, or death.
6	409.920(2)	3rd	Medicaid provider fraud.
7	494.0018(2)	1st	Conviction of any violation of
8			ss. 494.001-494.0077 in which the
9			total money and property
10			unlawfully obtained exceeded
11			\$50,000 and there were five or
12			more victims.
13	<u>560.123(8)(b)1.</u>	<u>3rd</u>	<u>Failure to report currency or</u>
14			<u>payment instruments exceeding</u>
15			<u>\$300 but less than \$20,000 by</u>
16			<u>money transmitter.</u>
17	<u>560.125(5)(a)</u>	<u>3rd</u>	<u>Money transmitter business by</u>
18			<u>unauthorized person, currency or</u>
19			<u>payment instruments exceeding</u>
20			<u>\$300 but less than \$20,000.</u>
21	<u>655.50(10)(b)1.</u>	<u>3rd</u>	<u>Failure to report financial</u>
22			<u>transactions exceeding \$300 but</u>
23			<u>less than \$20,000 by financial</u>
24			<u>institution.</u>
25	782.051(3)	2nd	Attempted felony murder of a
26			person by a person other than the
27			perpetrator or the perpetrator of
28			an attempted felony.
29			
30			
31			

1	782.07(1)	2nd	Killing of a human being by the
2			act, procurement, or culpable
3			negligence of another
4			(manslaughter).
5	782.071	2nd	Killing of human being or viable
6			fetus by the operation of a motor
7			vehicle in a reckless manner
8			(vehicular homicide).
9	782.072	2nd	Killing of a human being by the
10			operation of a vessel in a
11			reckless manner (vessel
12			homicide).
13	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
14			causing great bodily harm or
15			disfigurement.
16	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
17			weapon.
18	784.045(1)(b)	2nd	Aggravated battery; perpetrator
19			aware victim pregnant.
20	784.048(4)	3rd	Aggravated stalking; violation of
21			injunction or court order.
22	784.07(2)(d)	1st	Aggravated battery on law
23			enforcement officer.
24	784.08(2)(a)	1st	Aggravated battery on a person 65
25			years of age or older.
26	784.081(1)	1st	Aggravated battery on specified
27			official or employee.
28	784.082(1)	1st	Aggravated battery by detained
29			person on visitor or other
30			detainee.
31			

1	784.083(1)	1st	Aggravated battery on code
2			inspector.
3	790.07(4)	1st	Specified weapons violation
4			subsequent to previous conviction
5			of s. 790.07(1) or (2).
6	790.16(1)	1st	Discharge of a machine gun under
7			specified circumstances.
8	796.03	2nd	Procuring any person under 16
9			years for prostitution.
10	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
11			victim less than 12 years of age;
12			offender less than 18 years.
13	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
14			victim 12 years of age or older
15			but less than 16 years; offender
16			18 years or older.
17	806.01(2)	2nd	Maliciously damage structure by
18			fire or explosive.
19	810.02(3)(a)	2nd	Burglary of occupied dwelling;
20			unarmed; no assault or battery.
21	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
22			unarmed; no assault or battery.
23	810.02(3)(d)	2nd	Burglary of occupied conveyance;
24			unarmed; no assault or battery.
25	812.014(2)(a)	1st	Property stolen, valued at
26			\$100,000 or more; property stolen
27			while causing other property
28			damage; 1st degree grand theft.
29			
30			
31			

1	812.019(2)	1st	Stolen property; initiates,
2			organizes, plans, etc., the theft
3			of property and traffics in
4			stolen property.
5	812.131(2)(a)	2nd	Robbery by sudden snatching.
6	812.133(2)(b)	1st	Carjacking; no firearm, deadly
7			weapon, or other weapon.
8	825.102(3)(b)	2nd	Neglecting an elderly person or
9			disabled adult causing great
10			bodily harm, disability, or
11			disfigurement.
12	825.1025(2)	2nd	Lewd or lascivious battery upon
13			an elderly person or disabled
14			adult.
15	825.103(2)(b)	2nd	Exploiting an elderly person or
16			disabled adult and property is
17			valued at \$20,000 or more, but
18			less than \$100,000.
19	827.03(3)(b)	2nd	Neglect of a child causing great
20			bodily harm, disability, or
21			disfigurement.
22	827.04(3)	3rd	Impregnation of a child under 16
23			years of age by person 21 years
24			of age or older.
25	837.05(2)	3rd	Giving false information about
26			alleged capital felony to a law
27			enforcement officer.
28	872.06	2nd	Abuse of a dead human body.
29			
30			
31			

1	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
2			cocaine (or other drug prohibited
3			under s. 893.03(1)(a), (1)(b),
4			(1)(d), (2)(a), or (2)(b)) within
5			1,000 feet of a child care
6			facility or school.
7	893.13(1)(e)	1st	Sell, manufacture, or deliver
8			cocaine or other drug prohibited
9			under s. 893.03(1)(a), (1)(b),
10			(1)(d), (2)(a), or (2)(b), within
11			1,000 feet of property used for
12			religious services or a specified
13			business site.
14	893.13(4)(a)	1st	Deliver to minor cocaine (or
15			other s. 893.03(1)(a), (1)(b),
16			(1)(d), (2)(a), or (2)(b) drugs).
17	893.135(1)(a)1.	1st	Trafficking in cannabis, more
18			than 50 lbs., less than 2,000
19			lbs.
20	893.135		
21	(1)(b)1.a.	1st	Trafficking in cocaine, more than
22			28 grams, less than 200 grams.
23	893.135		
24	(1)(c)1.a.	1st	Trafficking in illegal drugs,
25			more than 4 grams, less than 14
26			grams.
27	893.135		
28	(1)(d)1.	1st	Trafficking in phencyclidine,
29			more than 28 grams, less than 200
30			grams.
31			

1	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
2			than 200 grams, less than 5
3			kilograms.
4	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
5			than 14 grams, less than 28
6			grams.
7	893.135		
8	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
9			grams or more, less than 14
10			grams.
11	<u>896.101(5)(a)</u>	<u>3rd</u>	<u>Money laundering, monetary</u>
12			<u>instruments exceeding \$300 but</u>
13			<u>less than \$20,000.</u>
14	<u>896.104(4)(a)1.</u>	<u>3rd</u>	<u>Structuring transactions to evade</u>
15			<u>reporting or registration</u>
16			<u>requirements, monetary</u>
17			<u>instruments exceeding \$300 but</u>
18			<u>less than \$20,000.</u>
19			(h) LEVEL 8
20	316.193		
21	(3)(c)3.a.	2nd	DUI manslaughter.
22	327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
23	<u>560.123(8)(b)2.</u>	<u>2nd</u>	<u>Failure to report currency or</u>
24			<u>payment instruments totaling or</u>
25			<u>exceeding \$20,000, but less than</u>
26			<u>\$100,000 by money transmitter.</u>
27	<u>560.125(5)(b)</u>	<u>2nd</u>	<u>Money transmitter business by</u>
28			<u>unauthorized person, currency or</u>
29			<u>payment instruments totaling or</u>
30			<u>exceeding \$20,000, but less than</u>
31			<u>\$100,000.</u>

1	<u>655.50(10)(b)2.</u>	<u>2nd</u>	<u>Failure to report financial</u>
2			<u>transactions totaling or</u>
3			<u>exceeding \$20,000, but less than</u>
4			<u>\$100,000 by financial</u>
5			<u>institutions.</u>
6	777.03(2)(a)	1st	Accessory after the fact, capital
7			felony.
8	782.04(4)	2nd	Killing of human without design
9			when engaged in act or attempt of
10			any felony other than arson,
11			sexual battery, robbery,
12			burglary, kidnapping, aircraft
13			piracy, or unlawfully discharging
14			bomb.
15	782.051(2)	1st	Attempted felony murder while
16			perpetrating or attempting to
17			perpetrate a felony not
18			enumerated in s. 782.04(3).
19	782.071(2)	1st	Committing vehicular homicide and
20			failing to render aid or give
21			information.
22	782.072(2)	1st	Committing vessel homicide and
23			failing to render aid or give
24			information.
25	790.161(3)	1st	Discharging a destructive device
26			which results in bodily harm or
27			property damage.
28	794.011(5)	2nd	Sexual battery, victim 12 years
29			or over, offender does not use
30			physical force likely to cause
31			serious injury.

1	800.04(4)	2nd	Lewd or lascivious battery.
2	806.01(1)	1st	Maliciously damage dwelling or
3			structure by fire or explosive,
4			believing person in structure.
5	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
6	810.02(2)(b)	1st,PBL	Burglary; armed with explosives
7			or dangerous weapon.
8	810.02(2)(c)	1st	Burglary of a dwelling or
9			structure causing structural
10			damage or \$1,000 or more property
11			damage.
12	812.13(2)(b)	1st	Robbery with a weapon.
13	812.135(2)	1st	Home-invasion robbery.
14	825.102(2)	2nd	Aggravated abuse of an elderly
15			person or disabled adult.
16	825.103(2)(a)	1st	Exploiting an elderly person or
17			disabled adult and property is
18			valued at \$100,000 or more.
19	837.02(2)	2nd	Perjury in official proceedings
20			relating to prosecution of a
21			capital felony.
22	837.021(2)	2nd	Making contradictory statements
23			in official proceedings relating
24			to prosecution of a capital
25			felony.
26	860.121(2)(c)	1st	Shooting at or throwing any
27			object in path of railroad
28			vehicle resulting in great bodily
29			harm.
30	860.16	1st	Aircraft piracy.
31			

1	893.13(1)(b)	1st	Sell or deliver in excess of 10
2			grams of any substance specified
3			in s. 893.03(1)(a) or (b).
4	893.13(2)(b)	1st	Purchase in excess of 10 grams of
5			any substance specified in s.
6			893.03(1)(a) or (b).
7	893.13(6)(c)	1st	Possess in excess of 10 grams of
8			any substance specified in s.
9			893.03(1)(a) or (b).
10	893.135(1)(a)2.	1st	Trafficking in cannabis, more
11			than 2,000 lbs., less than 10,000
12			lbs.
13	893.135		
14	(1)(b)1.b.	1st	Trafficking in cocaine, more than
15			200 grams, less than 400 grams.
16	893.135		
17	(1)(c)1.b.	1st	Trafficking in illegal drugs,
18			more than 14 grams, less than 28
19			grams.
20	893.135		
21	(1)(d)1.b.	1st	Trafficking in phencyclidine,
22			more than 200 grams, less than
23			400 grams.
24	893.135		
25	(1)(e)1.b.	1st	Trafficking in methaqualone, more
26			than 5 kilograms, less than 25
27			kilograms.
28	893.135		
29	(1)(f)1.b.	1st	Trafficking in amphetamine, more
30			than 28 grams, less than 200
31			grams.

1	893.135		
2	(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14
3			grams or more, less than 28
4			grams.
5	895.03(1)	1st	Use or invest proceeds derived
6			from pattern of racketeering
7			activity.
8	895.03(2)	1st	Acquire or maintain through
9			racketeering activity any
10			interest in or control of any
11			enterprise or real property.
12	895.03(3)	1st	Conduct or participate in any
13			enterprise through pattern of
14			racketeering activity.
15	<u>896.101(5)(b)</u>	<u>2nd</u>	<u>Money laundering, monetary</u>
16			<u>instruments exceeding \$20,000,</u>
17			<u>but less than \$100,000.</u>
18	<u>896.104(4)(a)2.</u>	<u>2nd</u>	<u>Structuring transactions to evade</u>
19			<u>reporting or registration</u>
20			<u>requirements, monetary</u>
21			<u>instruments totaling or exceeding</u>
22			<u>\$20,000 but less than \$100,000.</u>
23			(i) LEVEL 9
24	316.193		
25	(3)(c)3.b.	1st	DUI manslaughter; failing to
26			render aid or give information.
27	<u>560.123(8)(b)3.</u>	<u>1st</u>	<u>Failure to report currency or</u>
28			<u>payment instruments totaling or</u>
29			<u>exceeding \$100,000 by money</u>
30			<u>transmitter.</u>
31			

1	<u>560.125(5)(c)</u>	<u>1st</u>	<u>Money transmitter business by</u>
2			<u>unauthorized person, currency, or</u>
3			<u>payment instruments totaling or</u>
4			<u>exceeding \$100,000.</u>
5	<u>655.50(10)(b)3.</u>	<u>1st</u>	<u>Failure to report financial</u>
6			<u>transactions totaling or</u>
7			<u>exceeding \$100,000 by financial</u>
8			<u>institution.</u>
9	782.04(1)	1st	Attempt, conspire, or solicit to
10			commit premeditated murder.
11	782.04(3)	1st,PBL	Accomplice to murder in
12			connection with arson, sexual
13			battery, robbery, burglary, and
14			other specified felonies.
15	782.051(1)	1st	Attempted felony murder while
16			perpetrating or attempting to
17			perpetrate a felony enumerated in
18			s. 782.04(3).
19	782.07(2)	1st	Aggravated manslaughter of an
20			elderly person or disabled adult.
21	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or
22			reward or as a shield or hostage.
23	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit
24			or facilitate commission of any
25			felony.
26	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to
27			interfere with performance of any
28			governmental or political
29			function.
30			
31			

1	787.02(3)(a)	1st	False imprisonment; child under
2			age 13; perpetrator also commits
3			aggravated child abuse, sexual
4			battery, or lewd or lascivious
5			battery, molestation, conduct, or
6			exhibition.
7	790.161	1st	Attempted capital destructive
8			device offense.
9	794.011(2)	1st	Attempted sexual battery; victim
10			less than 12 years of age.
11	794.011(2)	Life	Sexual battery; offender younger
12			than 18 years and commits sexual
13			battery on a person less than 12
14			years.
15	794.011(4)	1st	Sexual battery; victim 12 years
16			or older, certain circumstances.
17	794.011(8)(b)	1st	Sexual battery; engage in sexual
18			conduct with minor 12 to 18 years
19			by person in familial or
20			custodial authority.
21	800.04(5)(b)	1st	Lewd or lascivious molestation;
22			victim less than 12 years;
23			offender 18 years or older.
24	812.13(2)(a)	1st,PBL	Robbery with firearm or other
25			deadly weapon.
26	812.133(2)(a)	1st,PBL	Carjacking; firearm or other
27			deadly weapon.
28	827.03(2)	1st	Aggravated child abuse.
29	847.0145(1)	1st	Selling, or otherwise
30			transferring custody or control,
31			of a minor.

1	847.0145(2)	1st	Purchasing, or otherwise
2			obtaining custody or control, of
3			a minor.
4	859.01	1st	Poisoning food, drink, medicine,
5			or water with intent to kill or
6			injure another person.
7	893.135	1st	Attempted capital trafficking
8			offense.
9	893.135(1)(a)3.	1st	Trafficking in cannabis, more
10			than 10,000 lbs.
11	893.135		
12	(1)(b)1.c.	1st	Trafficking in cocaine, more than
13			400 grams, less than 150
14			kilograms.
15	893.135		
16	(1)(c)1.c.	1st	Trafficking in illegal drugs,
17			more than 28 grams, less than 30
18			kilograms.
19	893.135		
20	(1)(d)1.c.	1st	Trafficking in phencyclidine,
21			more than 400 grams.
22	893.135		
23	(1)(e)1.c.	1st	Trafficking in methaqualone, more
24			than 25 kilograms.
25	893.135		
26	(1)(f)1.c.	1st	Trafficking in amphetamine, more
27			than 200 grams.
28	<u>896.101(5)(c)</u>	<u>1st</u>	<u>Money laundering, monetary</u>
29			<u>instruments exceeding \$100,000.</u>
30			
31			

1 896.104(4)(a)3. 1st Structuring transactions to evade  
2 reporting or registration  
3 requirements, monetary  
4 instruments totaling or exceeding  
5 \$100,000.

6 Section 25. Section 943.032, Florida Statutes, is  
7 created to read:

8 943.032 Financial Crime Analysis Center and Financial  
9 Transaction Database.--

10 (1) There is created within the Florida Department of  
11 Law Enforcement a Financial Crime Analysis Center and a  
12 Financial Transaction Database.

13 (2) The department shall compile information and data  
14 available from financial transaction reports required to be  
15 submitted by state or federal law that are provided to the  
16 Department of Banking and Finance, to the Department of  
17 Revenue, or to which the department otherwise has access.  
18 Information and data so received shall be utilized by the  
19 department in the Financial Transaction Database. The  
20 department shall implement a system utilizing the database  
21 that allows data review and processing to reveal patterns,  
22 trends and correlations that are indicative of money  
23 laundering or other financial transactions indicative of  
24 criminal activity. The department shall, in consultation with  
25 the Department of Banking and Finance and the Department of  
26 Revenue, establish the methods and parameters by which  
27 information and data received by the Department of Banking and  
28 Finance or the Department of Revenue are transferred to the  
29 department for inclusion in the database. Information  
30 developed in or through the use of the database shall be made  
31 available to law enforcement agencies and prosecutors in this

1 state in a manner defined by the department and as allowed by  
2 state or federal law or regulation. All information contained  
3 in the database shall be considered "active criminal  
4 intelligence" or "active criminal investigative information"  
5 as defined in s. 119.011.

6 (3) The Financial Crime Analysis Center shall analyze  
7 and develop information relating to money laundering, perform  
8 post-seizure analysis of currency and drug seizures in drug  
9 cases, and access information and data in the Financial  
10 Transaction Database for the purposes of assisting the  
11 department's drug and money laundering investigation and  
12 forfeiture efforts, assisting the efforts of law enforcement  
13 agencies and prosecutors in this state in investigating  
14 ongoing, organized drug trafficking and money laundering  
15 activities occurring within the state, and assisting the  
16 department in investigations of other financial transactions  
17 indicative of criminal activity. The center may perform  
18 proactive analyses of information and intelligence to assist  
19 in identifying those who may be engaging in money laundering,  
20 drug-related criminal activity, or other criminal activity  
21 involving financial transactions, but who have evaded  
22 detection, investigation, or prosecution.

23 Section 26. (1) There is appropriated to the Florida  
24 Department of Law Enforcement \$656,880 from recurring general  
25 revenue and \$733,639 from nonrecurring general revenue for the  
26 establishment of the Financial Crimes Analysis Center and the  
27 Financial Transaction Database within the department.

28 (2) There is appropriated to the Department of Revenue  
29 \$420,783 from nonrecurring general revenue for the purpose of  
30 providing mail notification to all registered sales tax  
31 dealers, notification to new dealers at time of registration,

1 notification to groups not registered within the department,  
2 and public service announcements of the obligations under s.  
3 896.102 of Florida's businesses to file with the department a  
4 copy of any Form 8300 submitted by a business to the United  
5 States Internal Revenue Service.

6           Section 27. For fiscal year 2000-2001, 15 FTE and  
7 \$1,600,000 from the State Transportation Trust Fund are  
8 appropriated to the Department of Transportation, Office of  
9 Motor Carrier Compliance, for the purpose of creating a  
10 contraband interdiction program within the Office of Motor  
11 Carrier Compliance. The 15 FTE consists of seven certified  
12 K-9 handlers, seven felony officers, and one support staff.  
13 The teams are created to patrol major highway corridors and  
14 commercial weigh stations in order to reduce the flow of  
15 illicit drugs and illegal contraband on Florida's highway  
16 systems. The department shall seek additional funding from  
17 federal grants and forfeiture proceedings, and may amend its  
18 budget in accordance with the provisions of chapter 216,  
19 Florida Statutes.

20           Section 28. This act shall take effect July 1, 2000.

21  
22           \*\*\*\*\*

23           LEGISLATIVE SUMMARY

24           Amends various sections of the Florida Statutes providing  
25           criminal standards and sanctions for money transmitting  
26           and money laundering.