By the Committee on Transportation and Representative K. Smith

A bill to be entitled

An act relating to trust funds; creating s. 339.082, F.S.; creating the Federal Law Enforcement Trust Fund within the Department of Transportation; providing for sources of funds; exempting the trust fund from various service charges; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; amending s. 932.7055, F.S., relating to duties of the department with respect to the deposit of certain moneys, to conform; providing an effective date.

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

Section 1. Section 339.082, Florida Statutes, is created to read:

339.082 Federal Law Enforcement Trust Fund.--

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

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

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(3) Pursuant to the provisions of s. 19(f)(2), Art. III of the State Constitution, the trust fund shall, unless terminated sooner, be terminated on July 1, 2004. Before its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2).

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

932.7055 Disposition of liens and forfeited property.--

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

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

Section 3. This act shall take effect July 1, 2000.

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HOUSE SUMMARY

Creates the Federal Law Enforcement Trust Fund within the Department of Transportation to receive moneys from federal forfeiture proceedings and from federal asset-sharing programs. Exempts the trust fund from various service charges. Provides for annual carryforward of funds. Provides for future review and termination or re-creation of the trust fund.

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