

By Senator Clary

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A bill to be entitled

An act relating to trust funds; re-creating the Federal Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 932.705, F.S.; abrogating the scheduled termination of the trust fund; providing an effective date.

WHEREAS, the Legislature wishes to extend the life of the Federal Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles, which is otherwise scheduled to be terminated pursuant to constitutional mandate, and

WHEREAS, the Legislature has reviewed the trust fund before its scheduled termination date and has found that it continues to meet an important public purpose, and

WHEREAS, the Legislature has found that existing public policy concerning the trust fund sets adequate parameters for its use, NOW, THEREFORE,

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

Section 1. (1) The Federal Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles, FLAIR number 76-2-719, which is to be terminated pursuant to Section 19(f), Article III of the State Constitution on July 1, 2002, is re-created.

1           (2) All current balances of the trust fund are carried  
2 forward, and all current sources and uses of the trust fund  
3 are continued.

4           Section 2. Paragraph (b) of subsection (1) of section  
5 932.705, Florida Statutes, is amended to read:

6           932.705 Law enforcement trust funds; Department of  
7 Highway Safety and Motor Vehicles deposits.--

8           (1)

9           (b)1. There is created the Federal Law Enforcement  
10 Trust Fund into which the Department of Highway Safety and  
11 Motor Vehicles may deposit receipts and revenues received as a  
12 result of federal criminal, administrative, or civil  
13 forfeiture proceedings and receipts and revenues received from  
14 federal asset-sharing programs. The trust fund is exempt from  
15 the service charges imposed by s. 215.20.

16           2. Notwithstanding the provisions of s. 216.301 and  
17 pursuant to s. 216.351, any balance in the trust fund at the  
18 end of any fiscal year shall remain in the trust fund at the  
19 end of that year and shall be available for carrying out the  
20 purposes of the trust fund.

21           ~~3. Pursuant to the provisions of s. 19(f)(2), Art. III~~  
22 ~~of the State Constitution, the trust fund shall, unless~~  
23 ~~terminated sooner, be terminated on July 1, 2002.~~

24           Section 3. This act shall take effect July 1, 2002.

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27           SENATE SUMMARY

28           Re-creates the Federal Law Enforcement Trust Fund within  
29 the Department of Highway Safety and Motor Vehicles.