



HB 0529

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A bill to be entitled
 An act relating to the disposition of proceeds from the sale of forfeited property; amending s. 932.7055, F.S.; authorizing a board of county commissioners or governing body of a municipality to use the proceeds from the sale of forfeited property for drug court programs; providing requirements for expending such funds; increasing the funding requirements for certain crime prevention programs if a local law enforcement agency receives more than a specified amount under the Florida Contraband Forfeiture Act; requiring that drug court programs be included in those programs that receive funds acquired under the Florida Contraband Forfeiture Act; providing an effective date.

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

Section 1. Paragraphs (a) and (c) of subsection (4) of section 932.7055, Florida Statutes, are amended to read:

932.7055 Disposition of liens and forfeited property.--

(4) (a) If the seizing agency is a county or municipal agency, the remaining proceeds shall be deposited in a special law enforcement trust fund established by the board of county commissioners or the governing body of the municipality. Such proceeds and interest earned therefrom shall be used for school resource officers ~~officer~~, crime prevention, safe neighborhood programs, drug abuse education and prevention programs, drug court programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, and



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31 providing matching funds to obtain federal grants. The proceeds
 32 and interest may not be used to meet normal operating expenses
 33 of the law enforcement agency.

34 (c) An agency or organization, other than the seizing
 35 agency, that wishes to receive such funds shall apply to the
 36 sheriff or chief of police for an appropriation and its
 37 application shall be accompanied by a written certification that
 38 the moneys will be used for an authorized purpose. Such
 39 requests for expenditures shall include a statement describing
 40 anticipated recurring costs for the agency for subsequent fiscal
 41 years. An agency or organization that receives money pursuant
 42 to this subsection shall provide an accounting for such moneys
 43 and shall furnish the same reports as an agency of the county or
 44 municipality that receives public funds. Such funds may be
 45 expended in accordance with the following procedures:

46 1. Such funds may be used only for school resource
 47 officers ~~officer~~, crime prevention, safe neighborhood programs,
 48 drug abuse education, ~~or~~ drug prevention programs, drug court
 49 programs, or such other law enforcement purposes as the board of
 50 county commissioners or governing body of the municipality deems
 51 appropriate.

52 2. Such funds shall not be a source of revenue to meet
 53 normal operating needs of the law enforcement agency.

54 3. After July 1, 1992, and during every fiscal year
 55 thereafter, any local law enforcement agency that acquires at
 56 least \$15,000 pursuant to the Florida Contraband Forfeiture Act
 57 within a fiscal year must expend or donate no less than 25 ~~15~~
 58 percent of such proceeds for the support or operation of any
 59 drug treatment, drug abuse education, drug prevention, drug
 60 court, crime prevention, safe neighborhood, or school resource



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61 officer programs ~~program(s)~~. The local law enforcement agency
62 has the discretion to determine which programs ~~program(s)~~ will
63 receive the designated proceeds.

64
65 Notwithstanding the minimum expenditures or donations for drug
66 abuse education, drug treatment, drug prevention, drug court,
67 crime prevention, safe neighborhood, or school resource officer
68 programs ~~minimum expenditures or donations~~, the sheriff and the
69 board of county commissioners or the chief of police and the
70 governing body of the municipality may agree to expend or donate
71 such funds over a period of years if the expenditure or donation
72 of such minimum amount in any given fiscal year would exceed the
73 needs of the county or municipality for such programs
74 ~~program(s)~~. ~~Nothing in~~ This section does not preclude ~~precludes~~
75 the expenditure or donation of forfeiture proceeds in excess of
76 the minimum amounts established in this section ~~herein~~.

77 Section 2. This act shall take effect July 1, 2003.