



CHAMBER ACTION

The Committee on Judiciary recommends the following:

Committee Substitute

Remove the entire bill and insert:

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; 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



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29 commissioners or the governing body of the municipality. Such
30 proceeds and interest earned therefrom shall be used for school
31 resource officers ~~officer~~, crime prevention, safe neighborhood
32 programs, drug abuse education and prevention programs, drug
33 court programs, or for other law enforcement purposes, which
34 include defraying the cost of protracted or complex
35 investigations, providing additional equipment or expertise, and
36 providing matching funds to obtain federal grants. The proceeds
37 and interest may not be used to meet normal operating expenses
38 of the law enforcement agency.

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

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



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

59 | 3. After July 1, 1992, and during every fiscal year
60 | thereafter, any local law enforcement agency that acquires at
61 | least \$15,000 pursuant to the Florida Contraband Forfeiture Act
62 | within a fiscal year must expend or donate no less than 15
63 | percent of such proceeds for the support or operation of any
64 | drug treatment, drug abuse education, drug prevention, drug
65 | court, crime prevention, safe neighborhood, or school resource
66 | officer programs ~~program(s)~~. The local law enforcement agency
67 | has the discretion to determine which programs ~~program(s)~~ will
68 | receive the designated proceeds.

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

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