



1           Section 2. (1) The following trust funds within the  
2 Department of Revenue are terminated:

3           (a) The Apalachicola Bay Oyster Surcharge Clearing  
4 Trust Fund, FLAIR number 73-2-028. All current balances  
5 remaining in the Apalachicola Bay Oyster Surcharge Clearing  
6 Trust Fund, FLAIR number 73-2-028 shall be transferred to the  
7 General Inspection Trust Fund within the Department of  
8 Agriculture and Consumer Services, FLAIR number 42-2-321.

9           (b) The Secondhand Dealer and Secondary Metals  
10 Recycler Trust Fund, FLAIR number 73-2-617. All current  
11 balances remaining in the trust fund on the date of  
12 termination shall be transferred to the Administrative Trust  
13 Fund within the Department of Revenue FLAIR number 73-2-021.

14           (2) The Department of Revenue shall pay any  
15 outstanding debts and obligations of the terminated funds as  
16 soon as practicable, and the Chief Financial Officer shall  
17 close out and remove the terminated funds from various state  
18 accounting systems using generally accepted accounting  
19 principles concerning warrants outstanding, assets, and  
20 liabilities.

21           Section 3. Subsection (1) of section 17.43, Florida  
22 Statutes, is amended to read:

23           17.43 Federal Equitable Sharing Trust Fund.--

24           (1) The Federal Law Enforcement Equitable Sharing  
25 Trust Fund is created within the Department of Financial  
26 Services. The department may deposit into the trust fund  
27 receipts and revenues received as a result of federal  
28 criminal, administrative, or civil forfeiture proceedings and  
29 receipts and revenues received from federal asset-sharing  
30 programs. The trust fund is exempt from the service charges  
31 imposed by s. 215.20.

1           Section 4. Paragraph (p) of subsection (4) of section  
2 215.20, Florida Statutes, is amended to read:

3           215.20 Certain income and certain trust funds to  
4 contribute to the General Revenue Fund.--

5           (4) The income of a revenue nature deposited in the  
6 following described trust funds, by whatever name designated,  
7 is that from which the appropriations authorized by subsection  
8 (3) shall be made:

9           (p) Within the Department of Revenue:

10           1. The Additional Court Cost Clearing Trust Fund.

11           2. The Administrative Trust Fund.

12           ~~3. The Apalachicola Bay Oyster Surcharge Clearing~~  
13 ~~Trust Fund.~~

14           3.4. The Certification Program Trust Fund.

15           4.5. The Fuel Tax Collection Trust Fund.

16           5.6. The Land Reclamation Trust Fund.

17           6.7. The Local Alternative Fuel User Fee Clearing  
18 Trust Fund.

19           7.8. The Local Option Fuel Tax Trust Fund.

20           8.9. The Motor Vehicle Rental Surcharge Clearing Trust  
21 Fund.

22           9.10. The Motor Vehicle Warranty Trust Fund.

23           10.11. The Oil and Gas Tax Trust Fund.

24           ~~12. The Secondhand Dealer and Secondary Metals~~  
25 ~~Recycler Clearing Trust Fund.~~

26           11.13. The Severance Tax Solid Mineral Trust Fund.

27           12.14. The State Alternative Fuel User Fee Clearing  
28 Trust Fund.

29           13.15. All taxes levied on motor fuels other than  
30 gasoline levied pursuant to the provisions of s. 206.87(1)(a).  
31

1           Section 5. Subsection (1) of section 538.09, Florida  
2 Statutes, is amended to read:

3           538.09 Registration.--

4           (1) A secondhand dealer shall not engage in the  
5 business of purchasing, consigning, or trading secondhand  
6 goods from any location without registering with the  
7 Department of Revenue. A fee equal to the federal and state  
8 costs for processing required fingerprints must be submitted  
9 to the department with each application for registration. One  
10 application is required for each dealer. If a secondhand  
11 dealer is the owner of more than one secondhand store  
12 location, the application must list each location, and the  
13 department shall issue a duplicate registration for each  
14 location. For purposes of subsections (4) and (5) of this  
15 section, these duplicate registrations shall be deemed  
16 individual registrations. A dealer shall pay a fee of \$6 per  
17 location at the time of registration and an annual renewal fee  
18 of \$6 per location on October 1 of each year. All fees  
19 collected, less costs of administration, shall be transferred  
20 into the Administrative ~~a trust fund to be established and~~  
21 ~~entitled the Secondhand Dealer and Secondary Metals Recycler~~  
22 ~~Clearing~~ Trust Fund. The Department of Revenue shall forward  
23 the full set of fingerprints to the Department of Law  
24 Enforcement for state and federal processing, provided the  
25 federal service is available, to be processed for any criminal  
26 justice information as defined in s. 943.045. The cost of  
27 processing such fingerprints shall be payable to the  
28 Department of Law Enforcement by the Department of Revenue.  
29 The department may issue a temporary registration to each  
30 location pending completion of the background check by state  
31 and federal law enforcement agencies, but shall revoke such

1 | temporary registration if the completed background check  
2 | reveals a prohibited criminal background. An applicant for a  
3 | secondhand dealer registration must be a natural person who  
4 | has reached the age of 18 years.

5 |         (a) If the applicant is a partnership, all the  
6 | partners must apply.

7 |         (b) If the applicant is a joint venture, association,  
8 | or other noncorporate entity, all members of such joint  
9 | venture, association, or other noncorporate entity must make  
10 | application for registration as natural persons.

11 |         (c) If the applicant is a corporation, the  
12 | registration must include the name and address of such  
13 | corporation's registered agent for service of process in the  
14 | state and a certified copy of statement from the Secretary of  
15 | State that the corporation is duly organized in the state or,  
16 | if the corporation is organized in a state other than Florida,  
17 | a certified copy of statement from the Secretary of State that  
18 | the corporation is duly qualified to do business in this  
19 | state. If the dealer has more than one location, the  
20 | application must list each location owned by the same legal  
21 | entity and the department shall issue a duplicate registration  
22 | for each location.

23 |         Section 6. Paragraph (a) of subsection (1) of section  
24 | 538.25, Florida Statutes, is amended to read:

25 |         538.25 Registration.--

26 |         (1) No person shall engage in business as a secondary  
27 | metals recycler at any location without registering with the  
28 | department.

29 |         (a) A fee equal to the federal and state costs for  
30 | processing required fingerprints must be submitted to the  
31 | department with each application for registration. One

1 application is required for each secondary metals recycler. If  
2 a secondary metals recycler is the owner of more than one  
3 secondary metals recycling location, the application must list  
4 each location, and the department shall issue a duplicate  
5 registration for each location. For purposes of subsections  
6 (3), (4), and (5), these duplicate registrations shall be  
7 deemed individual registrations. A secondary metals recycler  
8 shall pay a fee of \$6 per location at the time of registration  
9 and an annual renewal fee of \$6 per location on October 1 of  
10 each year. All fees collected, less costs of administration,  
11 shall be transferred into the Administrative Trust Fund  
12 ~~Secondhand Dealer and Secondary Metals Recycler Clearing Trust~~  
13 ~~Fund established pursuant to s. 538.09.~~

14 Section 7. Subsection (1) of section 626.9893, Florida  
15 Statutes, is amended to read:

16 626.9893 Disposition of revenues; criminal or  
17 forfeiture proceedings.--

18 (1) The Division of Insurance Fraud of the Department  
19 of Financial Services may deposit revenues received as a  
20 result of criminal proceedings or forfeiture proceedings,  
21 other than revenues deposited into the Department of Financial  
22 Services' Federal Law Enforcement Equitable Sharing Trust Fund  
23 under s. 17.43, into the Insurance Regulatory Trust Fund.  
24 Moneys deposited pursuant to this section shall be separately  
25 accounted for and shall be used solely for the division to  
26 carry out its duties and responsibilities.

27 Section 8. Paragraph (n) of subsection (6) of section  
28 932.7055, Florida Statutes, is amended to read:

29 932.7055 Disposition of liens and forfeited  
30 property.--

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