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CHAMBER ACTION

Senate

House

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Floor: 1/AD/3R  
4/30/2008 3:59 PM

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1 Senator Saunders moved the following **amendment**:

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3 **Senate Amendment (with title amendments)**

4 Between line(s) 156 and 157

5 insert:

6 Section 5. Subsection (5) of section 372.9901, Florida  
7 Statutes, is amended to read:

8 372.9901 Seizure of illegal hunting devices; disposition;  
9 notice; forfeiture.--In order to protect the state's wildlife  
10 resources, any vehicle, vessel, animal, gun, light, or other  
11 hunting device used or attempted to be used in connection with,  
12 as an instrumentality of, or in aiding and abetting in the  
13 commission of an offense prohibited by s. 372.99 is subject to  
14 seizure and forfeiture. The provisions of chapter 932 do not  
15 apply to any seizure or forfeiture under this section. For  
16 purposes of this section, a conviction is any disposition other  
17 than acquittal or dismissal.



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18 (5) All amounts received from the sale or other disposition  
19 of the property shall be paid into the State Game Trust Fund ~~or~~  
20 ~~into the commission's Federal Law Enforcement Trust Fund as~~  
21 ~~provided in s. 372.107, as applicable.~~ If the property is not  
22 sold or converted, it shall be delivered to the executive  
23 director of the commission.

24 Section 6. Subsection (3) of section 372.9904, Florida  
25 Statutes, is amended to read:

26 372.9904 Seizure of illegal transportation devices;  
27 disposition; appraisal; forfeiture.--

28 (3) Upon conviction of the violator, the property, if owned  
29 by the person convicted, shall be forfeited to the state under  
30 the procedure set forth in ss. 370.061 and 370.07, when not  
31 inconsistent with this section. All amounts received from the  
32 sale or other disposition of the property shall be paid into the  
33 State Game Trust Fund ~~or into the commission's Federal Law~~  
34 ~~Enforcement Trust Fund as provided in s. 372.107, as applicable.~~  
35 If the property is not sold or converted, it shall be delivered  
36 to the director of the Fish and Wildlife Conservation Commission.

37 Section 7. Paragraph (e) of subsection (6) of section  
38 932.7055, Florida Statutes, is amended to read:

39 932.7055 Disposition of liens and forfeited property.--

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

43 (e) The Fish and Wildlife Conservation Commission, the  
44 proceeds accrued pursuant to the provisions of the Florida  
45 Contraband Forfeiture Act shall be deposited into the State Game  
46 Trust Fund as provided in ss. 372.73, 372.9901, and 372.9904,  
47 into the Marine Resources Conservation Trust Fund as provided in



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48 | ~~s. 370.061, or into the commission's Federal Law Enforcement~~  
49 | ~~Trust Fund as provided in s. 372.107, as applicable.~~

50 |       Section 8. Section 327.803, Florida Statutes, is repealed.

51 |       Section 9. Section 372.107, Florida Statutes, is repealed.

52 |  
53 |  
54 |

55 | (renumber subsequent sections)

56 |

57 | ===== T I T L E   A M E N D M E N T =====

58 | And the title is amended as follows:

59 |       Delete line(s) 16

60 | and insert:

61 |       such photographs shall be taken; amending ss. 372.9901,  
62 |       372.9904, and 932.7055, F.S., conforming cross-references;  
63 |       repealing ss. 327.803 and 372.107, F.S.; providing an  
64 |       effective date.