

1                   A bill to be entitled  
 2           An act relating to proceeds of forfeitures; amending s.  
 3           932.7055, F.S.; increasing the minimum percentage of such  
 4           proceeds that must go to non-law enforcement  
 5           organizations; revising the types of organizations that  
 6           may receive such funds and the purposes for which such  
 7           funds may be expended; providing an effective date.

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

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11           Section 1. Paragraph (c) of subsection (5) of section  
 12           932.7055, Florida Statutes, is amended to read:

13           932.7055   Disposition of liens and forfeited property.--  
 14           (5)

15           (c) Every county or municipality must expend or donate no  
 16           less than 25 percent of such proceeds for the support or  
 17           operation of local, community-based nonprofit, nongovernmental  
 18           organizations. The local law enforcement agency has the  
 19           discretion to determine which community organizations will  
 20           receive the designated proceeds. An ~~agency or organization,~~  
 21           ~~other than the seizing agency,~~ that wishes to receive such funds  
 22           shall apply to the sheriff or chief of police for an  
 23           appropriation and its application shall be accompanied by a  
 24           written certification that the moneys will be used for an  
 25           authorized purpose. Such requests for expenditures shall include  
 26           a statement describing anticipated recurring costs for the  
 27           organization ~~agency~~ for subsequent fiscal years. An ~~agency or~~  
 28           organization that receives money pursuant to this subsection

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29 shall provide an accounting for such moneys and shall furnish  
30 the same reports as an agency of the county or municipality that  
31 receives public funds. Such funds may be expended in accordance  
32 with the following procedures:

33 1. Such funds may be used only for educational, school  
34 resource officer, crime prevention, safe neighborhood, drug  
35 abuse education, or drug prevention programs or any ~~such~~ other  
36 ~~law enforcement~~ purposes that benefit the community as the board  
37 of county commissioners or governing body of the municipality  
38 deems appropriate.

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

41 ~~3. After July 1, 1992, and during every fiscal year~~  
42 ~~thereafter, any local law enforcement agency that acquires at~~  
43 ~~least \$15,000 pursuant to the Florida Contraband Forfeiture Act~~  
44 ~~within a fiscal year must expend or donate no less than 15~~  
45 ~~percent of such proceeds for the support or operation of any~~  
46 ~~drug treatment, drug abuse education, drug prevention, crime~~  
47 ~~prevention, safe neighborhood, or school resource officer~~  
48 ~~program(s). The local law enforcement agency has the discretion~~  
49 ~~to determine which program(s) will receive the designated~~  
50 ~~proceeds.~~

51  
52 Notwithstanding the ~~drug abuse education, drug treatment, drug~~  
53 ~~prevention, crime prevention, safe neighborhood, or school~~  
54 ~~resource officer~~ minimum expenditures or donations, the sheriff  
55 and the board of county commissioners or the chief of police and  
56 the governing body of the municipality may agree to expend or

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57 | donate such funds over a period of years if the expenditure or  
58 | donation of such minimum amount in any given fiscal year would  
59 | exceed the needs of the county or municipality for such programs  
60 | ~~program(s)~~. Nothing in this section precludes the expenditure or  
61 | donation of forfeiture proceeds in excess of the minimum amounts  
62 | established herein.

63 |       Section 2. This act shall take effect July 1, 2009.