

By the Committees on Budget; and Budget Subcommittee on Criminal and Civil Justice Appropriations

576-02072-12

20122026c1

1 A bill to be entitled

2 An act relating to trust funds; re-creating the  
3 Capital Collateral Regional Counsel Trust Fund within  
4 the Justice Administrative Commission; amending s.  
5 27.715, F.S.; specifying sources of funds for the  
6 trust fund and providing its purpose; requiring that  
7 the capital collateral regional counsels administer  
8 the trust fund; deleting provisions relating to the  
9 termination of the trust fund, to conform; providing  
10 an effective date.

11  
12 WHEREAS, the Legislature wishes to extend the life of the  
13 Capital Collateral Regional Counsel Trust Fund within the  
14 Justice Administrative Commission, which is otherwise scheduled  
15 to be terminated pursuant to constitutional mandate, and

16 WHEREAS, the Legislature has reviewed the trust fund before  
17 its scheduled termination date and has found that it continues  
18 to meet an important public purpose, and

19 WHEREAS, the Legislature has found that existing public  
20 policy concerning the trust fund sets adequate parameters for  
21 its use, NOW, THEREFORE,

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. The Capital Collateral Regional Counsel Trust  
26 Fund within the Justice Administrative Commission, FLAIR number  
27 21-2-073, which is to be terminated pursuant to Section 19(f),  
28 Article III of the State Constitution on July 1, 2013, is re-  
29 created.

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30 Section 2. Subsection (2) of section 27.715, Florida  
31 Statutes, is amended to read:

32 27.715 Capital Collateral Regional Counsel Trust Fund.—

33 (2) Funds credited to the Capital Collateral Regional  
34 Counsel Trust Fund consist of compensation and reimbursements  
35 received from the Federal Government pursuant to 18 U.S.C. s.  
36 3006A for legal representation in both state and federal capital  
37 postconviction proceedings to any person convicted and sentenced  
38 to death in this state who is without counsel due to indigency.  
39 The capital collateral regional counsels, administratively  
40 housed in the Justice Administrative Commission, shall  
41 administer this trust fund. In accordance with s. 19(f)(2), Art.  
42 III of the State Constitution, the Capital Collateral Regional  
43 Counsel Trust Fund shall, unless terminated sooner, be  
44 terminated on July 1, 2013. Before its scheduled termination,  
45 the trust fund shall be reviewed as provided in s. 215.3206(1)  
46 and (2).

47 Section 3. This act shall take effect July 1, 2013.