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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/23/2015	.	
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	.	

The Committee on Criminal Justice (Brandes) recommended the following:

1 **Senate Amendment to Amendment (120332) (with title**
2 **amendment)**

3
4 Delete lines 453 - 592
5 and insert:

6 Section 5. Section 932.7055, Florida Statutes, is amended
7 to read:

8 932.7055 Disposition of liens and forfeited property.—

9 (1) When a seizing agency obtains a final judgment granting
10 forfeiture of real property or personal property, it may elect



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11 to:

12 ~~(a) Retain the property for the agency's use;~~

13 (a) ~~(b)~~ Sell the property at public auction or by sealed bid
14 to the highest bidder, except for real property, which must
15 ~~should~~ be sold in a commercially reasonable manner after
16 appraisal by listing on the market; or

17 (b) ~~(c)~~ ~~Salvage, Trade,~~ or transfer the property to a any
18 ~~public or~~ nonprofit organization.

19 (2) Notwithstanding subsection (1), a seizing agency must
20 destroy any image and the medium on which the image is recorded,
21 including, but not limited to, a photograph, video tape,
22 diskette, compact disc, or fixed disk made in violation of s.
23 810.145 when the image and the medium on which it is recorded is
24 no longer needed for an official purpose. The agency may not
25 sell or retain any image.

26 (3) If the forfeited property is subject to a lien
27 preserved by the court as provided in s. 932.703(6)(b), the
28 agency shall:

29 (a) Sell the property with the proceeds being used towards
30 satisfaction of any liens; or

31 (b) Have the lien satisfied prior to taking any action
32 authorized by subsection (1).

33 (4) The proceeds from the sale of forfeited property shall
34 be disbursed in the following priority:

35 (a) Payment of the balance due on any lien preserved by the
36 court in the forfeiture proceedings.

37 (b) Payment of the cost incurred by the seizing agency in
38 connection with the storage, maintenance, security, and
39 forfeiture of such property.



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40 (c) Payment of court costs incurred in the forfeiture
41 proceeding.

42 ~~(d) Notwithstanding any other provision of this subsection,~~
43 ~~and for the 2014-2015 fiscal year only, the funds in a special~~
44 ~~law enforcement trust fund established by the governing body of~~
45 ~~a municipality may be expended to reimburse the general fund of~~
46 ~~the municipality for moneys advanced from the general fund to~~
47 ~~the special law enforcement trust fund before October 1, 2001.~~
48 ~~This paragraph expires July 1, 2015.~~

49 (5) (a) If the seizing agency is a county or municipal
50 agency, 50 percent of the remaining proceeds shall be deposited
51 into ~~in~~ a special law enforcement trust fund established by the
52 board of county commissioners or the governing body of the
53 municipality. Such proceeds and interest earned therefrom shall
54 be used for school resource officer, crime prevention, safe
55 neighborhood, or drug abuse education and prevention programs.
56 The remaining 50 percent of the proceeds shall be deposited into
57 the Crimes Compensation Trust Fund, ~~or for other law enforcement~~
58 ~~purposes, which include defraying the cost of protracted or~~
59 ~~complex investigations, providing additional equipment or~~
60 ~~expertise, purchasing automated external defibrillators for use~~
61 ~~in law enforcement vehicles, and providing matching funds to~~
62 ~~obtain federal grants. The proceeds and interest may not be used~~
63 ~~to meet normal operating expenses of the law enforcement agency.~~

64 (b) These funds may be expended upon request by the sheriff
65 to the board of county commissioners or by the chief of police
66 to the governing body of the municipality, accompanied by a
67 written certification that the request complies with the
68 provisions of this subsection, and only upon appropriation to



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69 the sheriff's office or police department by the board of county
70 commissioners or the governing body of the municipality.

71 (c) An agency or organization, other than the seizing
72 agency, which ~~that~~ wishes to receive such funds shall apply to
73 the sheriff or chief of police for an appropriation. The ~~and its~~
74 application shall be accompanied by a written certification that
75 the moneys will be used for an authorized purpose. Such requests
76 for expenditures shall include a statement describing
77 anticipated recurring costs for the agency for subsequent fiscal
78 years. An agency or organization that receives money pursuant to
79 this subsection shall provide an accounting for such moneys and
80 shall furnish the same reports as an agency of the county or
81 municipality that receives public funds. Such funds may be
82 ~~expended in accordance with the following procedures:~~

83 ~~1. Such funds may be used only for school resource officer,~~
84 ~~crime prevention, safe neighborhood, drug abuse education, or~~
85 ~~drug prevention programs or such other law enforcement purposes~~
86 ~~as the board of county commissioners or governing body of the~~
87 ~~municipality deems appropriate.~~

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

90 ~~(d)3. After July 1, 1992, and During~~ each every fiscal year
91 ~~thereafter,~~ any local law enforcement agency that acquires at
92 least \$15,000 pursuant to the Florida Contraband Forfeiture Act
93 within a fiscal year must expend or donate 50 ~~no less than 15~~
94 percent of such proceeds in excess of \$15,000 pursuant to the
95 Florida Contraband Forfeiture Act for the support or operation
96 of ~~any~~ drug treatment, drug abuse education, drug prevention,
97 crime prevention, safe neighborhood, or school resource officer



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98 programs ~~program(s)~~. An agency or organization, other than the
99 seizing agency, which wishes to receive such funds must apply to
100 the seizing local law enforcement agency for an appropriation.
101 Funding requests by such agencies or organizations must be
102 accompanied by a written certification stating that the moneys
103 will be used for an authorized purpose, detailing how the funds
104 will be used, and affirming that the expenditure will be used
105 for only the support of drug treatment, drug abuse education,
106 drug prevention, crime prevention, safe neighborhood, or school
107 resource officer programs. Such requests are public records as
108 defined in chapter 119. The local law enforcement agency has the
109 discretion to determine which programs ~~program(s)~~ will receive
110 the designated proceeds.

111 (e) Notwithstanding the drug abuse education, drug
112 treatment, drug prevention, crime prevention, safe neighborhood,
113 or school resource officer programs minimum expenditures or
114 donations, the sheriff and the board of county commissioners or
115 the chief of police and the governing body of the municipality
116 may agree to expend or donate such funds over a period of years
117 if the expenditure or donation of the ~~such~~ minimum amount in any
118 given fiscal year would exceed the needs of the county or
119 municipality for such programs ~~program(s)~~. ~~Nothing in this~~
120 ~~section precludes the expenditure or donation of forfeiture~~
121 ~~proceeds in excess of the minimum amounts established herein.~~

122 (6) If the seizing agency is a state agency, all remaining
123 proceeds shall be deposited into the Crimes Compensation Trust
124 ~~Fund~~ General Revenue Fund. ~~However, if the seizing agency is:~~

125 ~~(a) The Department of Law Enforcement, the proceeds accrued~~
126 ~~pursuant to the provisions of the Florida Contraband Forfeiture~~



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127 ~~Act shall be deposited into the Forfeiture and Investigative~~
128 ~~Support Trust Fund as provided in s. 943.362 or into the~~
129 ~~department's Federal Law Enforcement Trust Fund as provided in~~
130 ~~s. 943.365, as applicable.~~

131 ~~(b) The Division of Alcoholic Beverages and Tobacco, the~~
132 ~~proceeds accrued pursuant to the Florida Contraband Forfeiture~~
133 ~~Act shall be deposited into the Alcoholic Beverage and Tobacco~~
134 ~~Trust Fund or into the department's Federal Law Enforcement~~
135 ~~Trust Fund as provided in s. 561.027, as applicable.~~

136 ~~(c) The Department of Highway Safety and Motor Vehicles,~~
137 ~~the proceeds accrued pursuant to the Florida Contraband~~
138 ~~Forfeiture Act shall be deposited into the Department of Highway~~
139 ~~Safety and Motor Vehicles Law Enforcement Trust Fund as provided~~
140 ~~in s. 932.705(1)(a) or into the department's Federal Law~~
141 ~~Enforcement Trust Fund as provided in s. 932.705(1)(b), as~~
142 ~~applicable.~~

143 ~~(d) The Fish and Wildlife Conservation Commission, the~~
144 ~~proceeds accrued pursuant to the provisions of the Florida~~
145 ~~Contraband Forfeiture Act shall be deposited into the State Game~~
146 ~~Trust Fund as provided in ss. 379.338, 379.339, and 379.3395 or~~
147 ~~into the Marine Resources Conservation Trust Fund as provided in~~
148 ~~s. 379.337.~~

149 ~~(e) A state attorney's office acting within its judicial~~
150 ~~circuit, the proceeds accrued pursuant to the provisions of the~~
151 ~~Florida Contraband Forfeiture Act shall be deposited into the~~
152 ~~State Attorney's Forfeiture and Investigative Support Trust Fund~~
153 ~~to be used for the investigation of crime and prosecution of~~
154 ~~criminals within the judicial circuit.~~

155 ~~(f) A school board security agency employing law~~



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156 ~~enforcement officers, the proceeds accrued pursuant to the~~
157 ~~provisions of the Florida Contraband Forfeiture Act shall be~~
158 ~~deposited into the School Board Law Enforcement Trust Fund.~~

159 ~~(g) One of the State University System police departments~~
160 ~~acting within the jurisdiction of its employing state~~
161 ~~university, the proceeds accrued pursuant to the provisions of~~
162 ~~the Florida Contraband Forfeiture Act shall be deposited into~~
163 ~~that state university's special law enforcement trust fund.~~

164 ~~(h) The Department of Agriculture and Consumer Services,~~
165 ~~the proceeds accrued pursuant to the Florida Contraband~~
166 ~~Forfeiture Act shall be deposited into the General Inspection~~
167 ~~Trust Fund or into the department's Federal Law Enforcement~~
168 ~~Trust Fund as provided in s. 570.205, as applicable.~~

169 ~~(i) The Department of Military Affairs, the proceeds~~
170 ~~accrued from federal forfeiture sharing pursuant to 21 U.S.C.~~
171 ~~ss. 881(e) (1) (A) and (3), 18 U.S.C. s. 981(e) (2), and 19 U.S.C.~~
172 ~~s. 1616a shall be deposited into the Armory Board Trust Fund and~~
173 ~~used for purposes authorized by such federal provisions based on~~
174 ~~the department's budgetary authority or into the department's~~
175 ~~Federal Law Enforcement Trust Fund as provided in s. 250.175, as~~
176 ~~applicable.~~

177 ~~(j) The Medicaid Fraud Control Unit of the Department of~~
178 ~~Legal Affairs, the proceeds accrued pursuant to the provisions~~
179 ~~of the Florida Contraband Forfeiture Act shall be deposited into~~
180 ~~the Department of Legal Affairs Grants and Donations Trust Fund~~
181 ~~to be used for investigation and prosecution of Medicaid fraud,~~
182 ~~abuse, neglect, and other related cases by the Medicaid Fraud~~
183 ~~Control Unit.~~

184 ~~(k) The Division of State Fire Marshal in the Department of~~



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185 ~~Financial Services, the proceeds accrued under the Florida~~
186 ~~Contraband Forfeiture Act shall be deposited into the Insurance~~
187 ~~Regulatory Trust Fund to be used for the purposes of arson~~
188 ~~suppression, arson investigation, and the funding of anti-arson~~
189 ~~rewards.~~

190 ~~(1) The Division of Insurance Fraud of the Department of~~
191 ~~Financial Services, the proceeds accrued pursuant to the~~
192 ~~provisions of the Florida Contraband Forfeiture Act shall be~~
193 ~~deposited into the Insurance Regulatory Trust Fund as provided~~
194 ~~in s. 626.9893 or into the Department of Financial Services'~~
195 ~~Federal Law Enforcement Trust Fund as provided in s. 17.43, as~~
196 ~~applicable.~~

197 (7) If more than one law enforcement agency is acting
198 substantially to effect the forfeiture, the court having
199 jurisdiction over the forfeiture proceedings shall, upon motion,
200 equitably distribute all proceeds and other property among the
201 seizing agencies.

202 (8) Upon the sale of any motor vehicle, vessel, aircraft,
203 real property, or other property requiring a title, the
204 appropriate agency shall issue a title certificate to the
205 purchaser. Upon the request of any law enforcement agency which
206 elects to retain titled property after forfeiture, the
207 appropriate state agency shall issue a title certificate for
208 such property to said law enforcement agency.

209 (9) A ~~Neither the~~ law enforcement agency, or ~~nor~~ the entity
210 having budgetary control over the law enforcement agency, may
211 not shall anticipate future forfeitures or the proceeds from
212 those forfeitures ~~therefrom~~ in the adoption and approval of the
213 agency's budget ~~for the law enforcement agency.~~



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214 Section 6. Paragraph (a) of subsection (1) of section
215 16.56, Florida Statutes, is amended to read:

216 16.56 Office of Statewide Prosecution.—

217 (1) There is created in the Department of Legal Affairs an
218 Office of Statewide Prosecution. The office shall be a separate
219 “budget entity” as that term is defined in chapter 216. The
220 office may:

221 (a) Investigate and prosecute the offenses of:

222 1. Bribery, burglary, criminal usury, extortion, gambling,
223 kidnapping, larceny, murder, prostitution, perjury, robbery,
224 carjacking, and home-invasion robbery;

225 2. Any crime involving narcotic or other dangerous drugs;

226 3. Any violation of the provisions of the Florida RICO
227 (Racketeer Influenced and Corrupt Organization) Act, including
228 any offense listed in the definition of racketeering activity in
229 s. 895.02(8)(a) ~~s. 895.02(1)(a)~~, providing such listed offense
230 is investigated in connection with a violation of s. 895.03 and
231 is charged in a separate count of an information or indictment
232 containing a count charging a violation of s. 895.03, the
233 prosecution of which listed offense may continue independently
234 if the prosecution of the violation of s. 895.03 is terminated
235 for any reason;

236 4. Any violation of the provisions of the Florida Anti-
237 Fencing Act;

238 5. Any violation of the provisions of the Florida Antitrust
239 Act of 1980, as amended;

240 6. Any crime involving, or resulting in, fraud or deceit
241 upon any person;

242 7. Any violation of s. 847.0135, relating to computer



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243 | pornography and child exploitation prevention, or any offense
244 | related to a violation of s. 847.0135 or any violation of
245 | chapter 827 where the crime is facilitated by or connected to
246 | the use of the Internet or any device capable of electronic data
247 | storage or transmission;

248 | 8. Any violation of the provisions of chapter 815;

249 | 9. Any criminal violation of part I of chapter 499;

250 | 10. Any violation of the provisions of the Florida Motor
251 | Fuel Tax Relief Act of 2004;

252 | 11. Any criminal violation of s. 409.920 or s. 409.9201;

253 | 12. Any crime involving voter registration, voting, or
254 | candidate or issue petition activities;

255 | 13. Any criminal violation of the Florida Money Laundering
256 | Act;

257 | 14. Any criminal violation of the Florida Securities and
258 | Investor Protection Act; or

259 | 15. Any violation of the provisions of chapter 787, as well
260 | as any and all offenses related to a violation of the provisions
261 | of chapter 787;

262 |
263 | or any attempt, solicitation, or conspiracy to commit any of the
264 | crimes specifically enumerated above. The office shall have such

265 | power only when any such offense is occurring, or has occurred,
266 | in two or more judicial circuits as part of a related

267 | transaction, or when any such offense is connected with an
268 | organized criminal conspiracy affecting two or more judicial

269 | circuits. Informations or indictments charging such offenses
270 | shall contain general allegations stating the judicial circuits

271 | and counties in which crimes are alleged to have occurred or the



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272 judicial circuits and counties in which crimes affecting such
273 circuits or counties are alleged to have been connected with an
274 organized criminal conspiracy.

275 Section 7. Subsection (3) of section 905.34, Florida
276 Statutes, is amended to read:

277 905.34 Powers and duties; law applicable.—The jurisdiction
278 of a statewide grand jury impaneled under this chapter shall
279 extend throughout the state. The subject matter jurisdiction of
280 the statewide grand jury shall be limited to the offenses of:

281 (3) Any violation of the provisions of the Florida RICO
282 (Racketeer Influenced and Corrupt Organization) Act, including
283 any offense listed in the definition of racketeering activity in
284 s. 895.02(8)(a) ~~s. 895.02(1)(a)~~, providing such listed offense
285 is investigated in connection with a violation of s. 895.03 and
286 is charged in a separate count of an information or indictment
287 containing a count charging a violation of s. 895.03, the
288 prosecution of which listed offense may continue independently
289 if the prosecution of the violation of s. 895.03 is terminated
290 for any reason;

291
292 or any attempt, solicitation, or conspiracy to commit any
293 violation of the crimes specifically enumerated above, when any
294 such offense is occurring, or has occurred, in two or more
295 judicial circuits as part of a related transaction or when any
296 such offense is connected with an organized criminal conspiracy
297 affecting two or more judicial circuits. The statewide grand
298 jury may return indictments and presentments irrespective of the
299 county or judicial circuit where the offense is committed or
300 triable. If an indictment is returned, it shall be certified and



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301 transferred for trial to the county where the offense was
302 committed. The powers and duties of, and law applicable to,
303 county grand juries shall apply to a statewide grand jury except
304 when such powers, duties, and law are inconsistent with the
305 provisions of ss. 905.31-905.40.

306 Section 8. For the purpose of incorporating the amendment
307 made by this act to section 895.05, Florida Statutes, in a
308 reference thereto, subsection (4) and paragraph (a) of
309 subsection (5) of section 16.53, Florida Statutes, are
310 reenacted, and subsection (6) of that section is amended, to
311 read:

312 16.53 Legal Affairs Revolving Trust Fund.—

313 (4) Subject to the provisions of s. 895.09, when the
314 Attorney General files an action pursuant to s. 895.05, funds
315 provided to the Department of Legal Affairs pursuant to s.
316 895.09(2)(a) or, alternatively, attorneys' fees and costs,
317 whichever is greater, shall be deposited in the fund.

318 (5)(a) In the case of a forfeiture action pursuant to s.
319 895.05, the remainder of the moneys recovered shall be
320 distributed as set forth in s. 895.09.

321 (6) "Moneys recovered" means damages or penalties or any
322 other monetary payment, including monetary proceeds from
323 property forfeited to the state pursuant to s. 895.05 remaining
324 after satisfaction of any valid claims made pursuant to s.
325 895.09(1)(a)-(d) ~~s. 895.09(1)(a)-(e)~~, which damages, penalties,
326 or other monetary payment is made by any defendant by reason of
327 any decree or settlement in any Racketeer Influenced and Corrupt
328 Organization Act or state or federal antitrust action prosecuted
329 by the Attorney General, but excludes attorney ~~attorneys'~~ fees



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330 and costs.

331 Section 9. For the purpose of incorporating the amendment
332 made by this act to section 895.05, Florida Statutes, in a
333 reference thereto, subsection (1) of section 27.345, Florida
334 Statutes, is reenacted to read:

335 27.345 State Attorney RICO Trust Fund; authorized use of
336 funds; reporting.—

337 (1) Subject to the provisions of s. 895.09, when a state
338 attorney files an action pursuant to s. 895.05, funds provided
339 to the state attorney pursuant to s. 895.09(2)(a) or,
340 alternatively, attorneys' fees and costs, whichever is greater,
341 shall be deposited in the State Attorney RICO Trust Fund.

342 Section 10. For the purpose of incorporating the amendment
343 made by this act to section 895.05, Florida Statutes, in a
344 reference thereto, subsection (3) of section 92.142, Florida
345 Statutes, is reenacted to read:

346 92.142 Witnesses; pay.—

347 (3) Any witness subpoenaed to testify on behalf of the
348 state in any action brought pursuant to s. 895.05 or chapter 542
349 who is required to travel outside his or her county of residence
350 and more than 50 miles from his or her residence, or who is
351 required to travel from out of state, shall be entitled to per
352 diem and travel expenses at the same rate provided for state
353 employees under s. 112.061 in lieu of any state witness fee.

354 Section 11. For the purpose of incorporating the amendment
355 made by this act to section 932.7055, Florida Statutes, in a
356 reference thereto, paragraph (b) of subsection (5) of section
357 381.0081, Florida Statutes, is reenacted to read:

358 381.0081 Permit required to operate a migrant labor camp or



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359 residential migrant housing; penalties for unlawful
360 establishment or operation; allocation of proceeds.—

361 (5) SEIZURE.—

362 (b) After satisfying any liens on the property, the
363 remaining proceeds from the sale of the property seized under
364 this section shall be allocated as follows if the department
365 participated in the inspection or investigation leading to
366 seizure and forfeiture under this section:

367 1. One-third of the proceeds shall be allocated to the law
368 enforcement agency involved in the seizure, to be used as
369 provided in s. 932.7055.

370 2. One-third of the proceeds shall be allocated to the
371 department, to be used for purposes of enforcing the provisions
372 of this section.

373 3. One-third of the proceeds shall be deposited in the
374 State Apartment Incentive Loan Fund, to be used for the purpose
375 of providing funds to sponsors who provide housing for
376 farmworkers.

377 Section 12. For the purpose of incorporating the amendment
378 made by this act to section 932.7055, Florida Statutes, in a
379 reference thereto, paragraph (c) of subsection (2) of section
380 895.09, Florida Statutes, is reenacted to read:

381 895.09 Disposition of funds obtained through forfeiture
382 proceedings.—

383 (2)

384 (c) Any funds distributed to an investigating law
385 enforcement agency under paragraph (a) shall be deposited in the
386 applicable law enforcement trust fund established for that
387 agency pursuant to s. 932.7055 and expended for the purposes and



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388 in the manner authorized in that section. In addition, any funds
389 distributed to an investigating law enforcement agency pursuant
390 to this section may be used to pay the costs of investigations
391 of violations of this chapter and the criminal prosecutions and
392 civil actions related thereto, pursuant to s. 932.7055. Such
393 costs may include all taxable costs; costs of protecting,
394 maintaining, and forfeiting the property; employees' base
395 salaries and compensation for overtime; and such other costs
396 directly attributable to the investigation, prosecution, or
397 civil action.

398 Section 13. For the purpose of incorporating the amendment
399 made by this act to section 932.7055, Florida Statutes, in a
400 reference thereto, paragraph (b) of subsection (6) of section
401 932.703, Florida Statutes, is reenacted to read:

402 932.703 Forfeiture of contraband article; exceptions.—
403 (6)

404 (b) A bona fide lienholder's interest that has been
405 perfected in the manner prescribed by law prior to the seizure
406 may not be forfeited under the Florida Contraband Forfeiture Act
407 unless the seizing agency establishes by a preponderance of the
408 evidence that the lienholder had actual knowledge, at the time
409 the lien was made, that the property was being employed or was
410 likely to be employed in criminal activity. If a lienholder's
411 interest is not subject to forfeiture under the requirements of
412 this section, such interest shall be preserved by the court by
413 ordering the lienholder's interest to be paid as provided in s.
414 932.7055.

415 ===== T I T L E A M E N D M E N T =====

416 And the title is amended as follows:



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417 Delete lines 599 - 648
418 and insert:
419 An act relating to forfeiture of property; reordering
420 and amending s. 895.02, F.S.; specifying the earliest
421 date that incidents constituting a pattern of
422 racketeering activity may have occurred; conforming a
423 cross-reference; amending s. 895.05, F.S.; authorizing
424 an investigative agency to institute a civil
425 proceeding for forfeiture in a circuit court in
426 certain circumstances; adding diminution in value as a
427 ground for an action under certain circumstances;
428 removing certain grounds for an action; authorizing a
429 court to order the forfeiture of other property of the
430 defendant up to the value of the unavailable property
431 in certain circumstances; authorizing the Department
432 of Legal Affairs to bring an action for certain
433 violations to obtain specified relief, fees, and costs
434 for certain purposes; providing for civil penalties
435 for natural persons and other persons who commit
436 certain violations; providing for deposit of moneys
437 received for certain violations; authorizing a party
438 to a specific civil action to petition the court for
439 entry of a consent decree or for approval of a
440 settlement agreement; providing requirements for such
441 decrees or agreements; amending s. 895.06, F.S.;
442 deleting the definition of "investigative agency" for
443 purposes of provisions relating to civil investigative
444 subpoenas; providing that a subpoena must be
445 confidential for a specified time; restricting to whom



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446 the subpoenaed person or entity may disclose the
447 existence of the subpoena; requiring certain
448 information to be included in the subpoena;
449 authorizing the investigative agency to apply for an
450 order extending the amount of time the subpoena
451 remains confidential rather than having it extended by
452 the court for a specified period; providing that the
453 investigative agency has the authority to stipulate to
454 protective orders with respect to documents and
455 information submitted in response to a subpoena;
456 amending s. 895.09, F.S.; providing for distribution
457 of forfeiture proceeds to victims; conforming a cross-
458 reference; amending s. 932.7055, F.S.; deleting a
459 provision authorizing a seizing agency to retain
460 seized property for its use; deleting a provision
461 authorizing a seizing agency to salvage seized
462 property and give it to a public organization;
463 deleting an obsolete provision; revising the
464 distribution and the use of proceeds from the sales of
465 forfeited property seized by a county or municipal
466 agency; authorizing an agency or organization, other
467 than a seizing agency, to apply for funds from
468 specified proceeds; requiring that funding requests be
469 made in writing and include a certification that the
470 expenditure meets certain requirements; specifying
471 that such requests are public records; deleting a
472 provision relating to certain expenditure or donation
473 of forfeiture proceeds; requiring certain proceeds to
474 be deposited into the Crimes Compensation Trust Fund,



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475 rather than the General Revenue Fund; deleting
476 provisions that exempt certain agencies of the state
477 from depositing proceeds from seizures into the
478 General Revenue Fund; making technical changes;
479 amending ss. 16.56 and 905.34, F.S.; conforming cross-
480 references; reenacting and amending s. 16.53, F.S.,
481 relating to the Legal Affairs Revolving Trust Fund, to
482 incorporate the amendment made by the act to s.
483 895.05, F.S., in references thereto; conforming a
484 cross-reference; reenacting ss. 27.345(1) and
485 92.142(3), F.S., relating to the State Attorney RICO
486 Trust Fund and witness pay, respectively, to
487 incorporate the amendment made by the act to s.
488 895.05, F.S., in references thereto; reenacting ss.
489 381.0081(5)(b), 895.09(2)(c), and 932.703(6)(b), F.S.,
490 relating to the allocations of proceeds from the sales
491 of property in a migrant labor camp or residential
492 migrant housing, the disposition of funds obtained
493 through forfeiture proceedings, and the forfeiture of
494 contraband articles, respectively, to incorporate the
495 amendment made to s. 932.7055, F.S., in references
496 thereto; providing an