



907400

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2015	.	
	.	
	.	
	.	

---

Appropriations Subcommittee on Criminal and Civil Justice  
(Evers) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 33 - 240

and insert:

Section 1. Subsection (1) of section 932.701, Florida  
Statutes, is amended to read:

932.701 Short title; definitions.—

(1) Sections 932.701-932.7061 ~~932.706~~ shall be known and  
may be cited as the "Florida Contraband Forfeiture Act."

Section 2. Subsection (11) of section 932.704, Florida



907400

11 Statutes, is amended to read:

12 932.704 Forfeiture proceedings.—

13 (11) (a) The Department of Law Enforcement, in consultation  
14 with the Florida Sheriffs Association and the Florida Police  
15 Chiefs Association, shall develop guidelines and training  
16 procedures to be used by state and local law enforcement  
17 agencies and state attorneys in implementing the Florida  
18 Contraband Forfeiture Act. Each state or local law enforcement  
19 agency that seizes property for the purpose of forfeiture shall  
20 periodically review seizures of assets made by the agency's law  
21 enforcement officers, settlements, and forfeiture proceedings  
22 initiated by the agency, to determine whether such seizures,  
23 settlements, and forfeitures comply with the Florida Contraband  
24 Forfeiture Act and the guidelines adopted under this subsection.  
25 Such review must occur at least annually. If the review suggests  
26 deficiencies, the state or local law enforcement agency shall  
27 promptly move to ensure the agency's compliance with this act.

28 (b) The determination of whether an agency will file a  
29 civil forfeiture action must be the sole responsibility of the  
30 head of the agency or his or her designee.

31 (c) ~~(b)~~ The determination of whether to seize currency must  
32 be made by supervisory personnel. The agency's legal counsel  
33 must be notified as soon as possible.

34 (d) The employment, salary, promotion, or other  
35 compensation of any law enforcement officer may not depend on  
36 attaining a quota of seizures.

37 (e) A seizing agency must ensure, through the use of  
38 written policies, procedures, and training, compliance with all  
39 applicable legal requirements regarding seizing, maintaining,



907400

40 and forfeiting property under this act.

41 (f) When property is seized for forfeiture, the probable  
42 cause supporting the seizure must be promptly reviewed by  
43 supervisory personnel. The seizing agency's legal counsel must  
44 be notified as soon as possible of all seizures and must conduct  
45 a review to determine whether there is legal sufficiency to  
46 proceed with a forfeiture action.

47 (g) Each seizing agency must have written policies and  
48 procedures promoting, when there is no other legitimate basis  
49 for holding seized property, the prompt release of such property  
50 as may be required by the act or by agency determination. To  
51 help assure that property is not wrongfully held after seizure,  
52 every law enforcement agency must have written policies and  
53 procedures ensuring that all asserted claims of interest in  
54 seized property are promptly reviewed for potential validity.

55 (h) The settlement of any forfeiture action must be  
56 consistent with the mandates of this act and in compliance with  
57 agency policy or directives.

58 (i) Law enforcement agency personnel involved in the  
59 seizure of property for forfeiture shall receive basic training  
60 and continuing education as required by this act. Each agency  
61 shall maintain records documenting every law enforcement  
62 officer's compliance with these training requirements. A portion  
63 of such training must address the legal aspects of forfeiture,  
64 including, but not limited to, search and seizure and other  
65 constitutional considerations.

66 Section 3. Section 932.7055, Florida Statutes, is amended  
67 to read:

68 932.7055 Disposition of liens and forfeited property.-



907400

69 (1) When a seizing agency obtains a final judgment granting  
70 forfeiture of real property or personal property, it may elect  
71 to:

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

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

77 (b) ~~(c)~~ Salvage, trade, or transfer the property to any  
78 public or nonprofit organization.

79 (2) Notwithstanding subsection (1), a seizing agency must  
80 destroy any image and the medium on which the image is recorded,  
81 including, but not limited to, a photograph, video tape,  
82 diskette, compact disc, or fixed disk made in violation of s.  
83 810.145 when the image and the medium on which it is recorded is  
84 no longer needed for an official purpose. The agency may not  
85 sell or retain any image.

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

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

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

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

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

97 (b) Payment of the cost incurred by the seizing agency in



907400

98 connection with the storage, maintenance, security, and  
99 forfeiture of such property.

100 (c) Payment of court costs incurred in the forfeiture  
101 proceeding.

102 ~~(d) Notwithstanding any other provision of this subsection,~~  
103 ~~and for the 2014-2015 fiscal year only, the funds in a special~~  
104 ~~law enforcement trust fund established by the governing body of~~  
105 ~~a municipality may be expended to reimburse the general fund of~~  
106 ~~the municipality for moneys advanced from the general fund to~~  
107 ~~the special law enforcement trust fund before October 1, 2001.~~  
108 ~~This paragraph expires July 1, 2015.~~

109 (5) (a) If the seizing agency is a county or municipal  
110 agency, at least 50 percent of the remaining proceeds shall be  
111 deposited into ~~in~~ a special law enforcement trust fund  
112 established by the board of county commissioners or the  
113 governing body of the municipality. Such proceeds and interest  
114 earned therefrom shall be used for school resource officer,  
115 crime prevention, safe neighborhood, or drug abuse education and  
116 prevention programs. Any remaining proceeds shall be deposited  
117 into the Crimes Compensation Trust Fund, ~~or for other law~~  
118 ~~enforcement purposes, which include defraying the cost of~~  
119 ~~protracted or complex investigations, providing additional~~  
120 ~~equipment or expertise, purchasing automated external~~  
121 ~~defibrillators for use in law enforcement vehicles, and~~  
122 ~~providing matching funds to obtain federal grants. The proceeds~~  
123 ~~and interest may not be used to meet normal operating expenses~~  
124 ~~of the law enforcement agency.~~

125 (b) These funds may be expended upon request by the sheriff  
126 to the board of county commissioners or by the chief of police



907400

127 to the governing body of the municipality, accompanied by a  
128 written certification that the request complies with the  
129 provisions of this subsection, and only upon appropriation to  
130 the sheriff's office or police department by the board of county  
131 commissioners or the governing body of the municipality.

132 (c) An agency or organization, other than the seizing  
133 agency, which ~~that~~ wishes to receive such funds shall apply to  
134 the sheriff or chief of police for an appropriation. The ~~and its~~  
135 application shall be accompanied by a written certification that  
136 the moneys will be used for an authorized purpose. Such requests  
137 for expenditures shall include a statement describing  
138 anticipated recurring costs for the agency for subsequent fiscal  
139 years. An agency or organization that receives money pursuant to  
140 this subsection shall provide an accounting for such moneys and  
141 shall furnish the same reports as an agency of the county or  
142 municipality that receives public funds. Such funds may be  
143 ~~expended in accordance with the following procedures:~~

144 ~~1. Such funds may be used only for school resource officer,~~  
145 ~~crime prevention, safe neighborhood, drug abuse education, or~~  
146 ~~drug prevention programs or such other law enforcement purposes~~  
147 ~~as the board of county commissioners or governing body of the~~  
148 ~~municipality deems appropriate.~~

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

151 ~~(d) 3. After July 1, 1992, and During~~ each every fiscal year  
152 ~~thereafter,~~ any local law enforcement agency that acquires any  
153 property or assets ~~at least \$15,000~~ pursuant to the Florida  
154 Contraband Forfeiture Act within that a fiscal year must expend  
155 or donate at least 50 ~~no less than 15~~ percent of such proceeds



907400

156 pursuant to the Florida Contraband Forfeiture Act for the  
157 support or operation of ~~any~~ drug treatment, drug abuse  
158 education, drug prevention, crime prevention, safe neighborhood,  
159 or school resource officer programs ~~program(s)~~. An agency or  
160 organization, other than the seizing agency, which wishes to  
161 receive such funds must apply to the seizing local law  
162 enforcement agency for an appropriation. Funding requests by  
163 such agencies or organizations must be in writing and be  
164 accompanied by a written certification stating that the moneys  
165 will be used for an authorized purpose, detailing how the funds  
166 will be used, and affirming that the expenditure will be used  
167 for only the support of drug treatment, drug abuse education,  
168 drug prevention, crime prevention, safe neighborhood, or school  
169 resource officer programs. Such requests are public records as  
170 defined in chapter 119. The local law enforcement agency has the  
171 discretion to determine which programs ~~program(s)~~ will receive  
172 the designated proceeds.

173 (e) Notwithstanding the drug abuse education, drug  
174 treatment, drug prevention, crime prevention, safe neighborhood,  
175 or school resource officer programs minimum expenditures or  
176 donations, the sheriff and the board of county commissioners or  
177 the chief of police and the governing body of the municipality  
178 may agree to expend or donate such funds over a period of years  
179 if the expenditure or donation of the ~~such~~ minimum amount in any  
180 given fiscal year would exceed the needs of the county or  
181 municipality for such programs ~~program(s)~~. ~~Nothing in this~~  
182 ~~section precludes the expenditure or donation of forfeiture~~  
183 ~~proceeds in excess of the minimum amounts established herein.~~

184 (6) If the seizing agency is a state agency, all remaining



907400

185 proceeds shall be deposited into the Crimes Compensation Trust  
186 Fund ~~General Revenue Fund. However, if the seizing agency is:~~

187       ~~(a) The Department of Law Enforcement, the proceeds accrued~~  
188 ~~pursuant to the provisions of the Florida Contraband Forfeiture~~  
189 ~~Act shall be deposited into the Forfeiture and Investigative~~  
190 ~~Support Trust Fund as provided in s. 943.362 or into the~~  
191 ~~department's Federal Law Enforcement Trust Fund as provided in~~  
192 ~~s. 943.365, as applicable.~~

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

198       ~~(c) The Department of Highway Safety and Motor Vehicles,~~  
199 ~~the proceeds accrued pursuant to the Florida Contraband~~  
200 ~~Forfeiture Act shall be deposited into the Department of Highway~~  
201 ~~Safety and Motor Vehicles Law Enforcement Trust Fund as provided~~  
202 ~~in s. 932.705(1)(a) or into the department's Federal Law~~  
203 ~~Enforcement Trust Fund as provided in s. 932.705(1)(b), as~~  
204 ~~applicable.~~

205       ~~(d) The Fish and Wildlife Conservation Commission, the~~  
206 ~~proceeds accrued pursuant to the provisions of the Florida~~  
207 ~~Contraband Forfeiture Act shall be deposited into the State Game~~  
208 ~~Trust Fund as provided in ss. 379.338, 379.339, and 379.3395 or~~  
209 ~~into the Marine Resources Conservation Trust Fund as provided in~~  
210 ~~s. 379.337.~~

211       ~~(e) A state attorney's office acting within its judicial~~  
212 ~~circuit, the proceeds accrued pursuant to the provisions of the~~  
213 ~~Florida Contraband Forfeiture Act shall be deposited into the~~





907400

214 ~~State Attorney's Forfeiture and Investigative Support Trust Fund~~  
215 ~~to be used for the investigation of crime and prosecution of~~  
216 ~~criminals within the judicial circuit.~~

217 ~~(f) A school board security agency employing law~~  
218 ~~enforcement officers, the proceeds accrued pursuant to the~~  
219 ~~provisions of the Florida Contraband Forfeiture Act shall be~~  
220 ~~deposited into the School Board Law Enforcement Trust Fund.~~

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

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

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

239 ~~(j) The Medicaid Fraud Control Unit of the Department of~~  
240 ~~Legal Affairs, the proceeds accrued pursuant to the provisions~~  
241 ~~of the Florida Contraband Forfeiture Act shall be deposited into~~  
242 ~~the Department of Legal Affairs Grants and Donations Trust Fund~~



907400

243 ~~to be used for investigation and prosecution of Medicaid fraud,~~  
244 ~~abuse, neglect, and other related cases by the Medicaid Fraud~~  
245 ~~Control Unit.~~

246 ~~(k) The Division of State Fire Marshal in the Department of~~  
247 ~~Financial Services, the proceeds accrued under the Florida~~  
248 ~~Contraband Forfeiture Act shall be deposited into the Insurance~~  
249 ~~Regulatory Trust Fund to be used for the purposes of arson~~  
250 ~~suppression, arson investigation, and the funding of anti-arson~~  
251 ~~rewards.~~

252 ~~(l) The Division of Insurance Fraud of the Department of~~  
253 ~~Financial Services, the proceeds accrued pursuant to the~~  
254 ~~provisions of the Florida Contraband Forfeiture Act shall be~~  
255 ~~deposited into the Insurance Regulatory Trust Fund as provided~~  
256 ~~in s. 626.9893 or into the Department of Financial Services'~~  
257 ~~Federal Law Enforcement Trust Fund as provided in s. 17.43, as~~  
258 ~~applicable.~~

259 (7) If more than one law enforcement agency is acting  
260 substantially to effect the forfeiture, the court having  
261 jurisdiction over the forfeiture proceedings shall, upon motion,  
262 equitably distribute all proceeds and other property among the  
263 seizing agencies.

264 (8) Upon the sale of any motor vehicle, vessel, aircraft,  
265 real property, or other property requiring a title, the  
266 appropriate agency shall issue a title certificate to the  
267 purchaser. Upon the request of any law enforcement agency which  
268 elects to retain titled property after forfeiture, the  
269 appropriate state agency shall issue a title certificate for  
270 such property to said law enforcement agency.

271 (9) A ~~Neither the law enforcement agency, or nor~~ the entity



907400

272 having budgetary control over the law enforcement agency, may  
273 not shall anticipate future forfeitures or the proceeds from  
274 those forfeitures therefrom in the adoption and approval of the  
275 agency's budget for the law enforcement agency.

276 (10) A law enforcement agency participating in forfeiture  
277 proceedings pursuant to this act shall submit a report to the  
278 Department of Law Enforcement every 3 months detailing the items  
279 seized through the forfeiture process and, if a final judgment  
280 of forfeiture was issued for any seized property or assets, a  
281 description of how the property or assets were disposed of.

282 Section 4. Section 932.7061, Florida Statutes, is created  
283 to read:

284 932.7061 Each state or local law enforcement agency that  
285 seizes property for the purpose of forfeiture must complete an  
286 annual report indicating whether that agency has received or  
287 forfeited property under this act. The report, to be submitted  
288 on a form designed by the law enforcement agency, must, at a  
289 minimum, specify the type of property, its approximate value,  
290 the court case number, the type of offense for which the  
291 property was seized, disposition of the property, and the dollar  
292 amount of the proceeds received or expended in seizing the  
293 property. This report must be kept on file with the seizing  
294 agency for public access.

295 Section 5. Paragraph (a) of subsection (9) of section  
296 322.34, Florida Statutes, is amended to read:

297 322.34 Driving while license suspended, revoked, canceled,  
298 or disqualified.—

299 (9) (a) A motor vehicle that is driven by a person under the  
300 influence of alcohol or drugs in violation of s. 316.193 is



907400

301 subject to seizure and forfeiture under ss. 932.701-932.7061  
302 ~~932.706~~ and is subject to liens for recovering, towing, or  
303 storing vehicles under s. 713.78 if, at the time of the offense,  
304 the person's driver license is suspended, revoked, or canceled  
305 as a result of a prior conviction for driving under the  
306 influence.

307 Section 6. Subsection (4) of section 323.001, Florida  
308 Statutes, is amended to read:

309 323.001 Wrecker operator storage facilities; vehicle  
310 holds.—

311 (4) The requirements for a written hold apply when the  
312 following conditions are present:

313 (a) The officer has probable cause to believe the vehicle  
314 should be seized and forfeited under the Florida Contraband  
315 Forfeiture Act, ss. 932.701-932.7061 ~~932.706~~;

316 (b) The officer has probable cause to believe the vehicle  
317 should be seized and forfeited under chapter 379;

318 (c) The officer has probable cause to believe the vehicle  
319 was used as the means of committing a crime;

320 (d) The officer has probable cause to believe that the  
321 vehicle is itself evidence that tends to show that a crime has  
322 been committed or that the vehicle contains evidence, which  
323 cannot readily be removed, which tends to show that a crime has  
324 been committed;

325 (e) The officer has probable cause to believe the vehicle  
326 was involved in a traffic accident resulting in death or  
327 personal injury and should be sealed for investigation and  
328 collection of evidence by a vehicular homicide investigator;

329 (f) The vehicle is impounded or immobilized pursuant to s.



907400

330 316.193 or s. 322.34; or

331 (g) The officer is complying with a court order.

332 Section 7. Paragraph (b) of subsection (3) of section  
333 328.07, Florida Statutes, is amended to read:

334 328.07 Hull identification number required.—

335 (3)

336 (b) If any of the hull identification numbers required by  
337 the United States Coast Guard for a vessel manufactured after  
338 October 31, 1972, do not exist or have been altered, removed,  
339 destroyed, covered, or defaced or the real identity of the  
340 vessel cannot be determined, the vessel may be seized as  
341 contraband property by a law enforcement agency or the division,  
342 and shall be subject to forfeiture pursuant to ss. 932.701-  
343 932.7061 ~~932.706~~. Such vessel may not be sold or operated on the  
344 waters of the state unless the division receives a request from  
345 a law enforcement agency providing adequate documentation or is  
346 directed by written order of a court of competent jurisdiction  
347 to issue to the vessel a replacement hull identification number  
348 which shall thereafter be used for identification purposes. No  
349 vessel shall be forfeited under the Florida Contraband  
350 Forfeiture Act when the owner unknowingly, inadvertently, or  
351 neglectfully altered, removed, destroyed, covered, or defaced  
352 the vessel hull identification number.

353 Section 8. Paragraph (c) of subsection (2) of section  
354 817.625, Florida Statutes, is amended to read:

355 817.625 Use of scanning device or reencoder to defraud;  
356 penalties.—

357 (2)

358 (c) Any person who violates subparagraph (a)1. or



907400

359 subparagraph (a)2. shall also be subject to the provisions of  
360 ss. ~~932.701-932.7061~~ 932.706.

361 Section 9. For the purpose of incorporating the amendment  
362 made by this act to section 932.704, Florida Statutes, in a  
363 reference thereto, section 27.3451, Florida Statutes, is  
364 reenacted to read:

365 27.3451 State Attorney's Forfeiture and Investigative  
366 Support Trust Fund.—There is created for each of the several  
367 state attorneys a trust fund to be known as the State Attorney's  
368 Forfeiture and Investigative Support Trust Fund. Revenues  
369 received by a state attorney as a result of forfeiture  
370 proceedings, as provided under s. 932.704, shall be deposited in  
371 such trust fund and shall be used, when authorized by  
372 appropriation or action of the Executive Office of the Governor  
373 pursuant to s. 216.181(11), for the investigation of crime,  
374 prosecution of criminals, or other law enforcement purposes.

375 Section 10. For the purpose of incorporating the amendment  
376 made by this act to section 932.704, Florida Statutes, in a  
377 reference thereto, section 874.08, Florida Statutes, is  
378 reenacted to read:

379 874.08 Criminal gang activity and recruitment; forfeiture.—  
380 All profits, proceeds, and instrumentalities of criminal gang  
381 activity and all property used or intended or attempted to be  
382 used to facilitate the criminal activity of any criminal gang or  
383 of any criminal gang member; and all profits, proceeds, and  
384 instrumentalities of criminal gang recruitment and all property  
385 used or intended or attempted to be used to facilitate criminal  
386 gang recruitment are subject to seizure and forfeiture under the  
387 Florida Contraband Forfeiture Act, s. 932.704.



907400

388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416

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

And the title is amended as follows:

Delete lines 2 - 21

and insert:

An act relating to contraband forfeiture; amending s. 932.701, F.S.; conforming a cross-reference to changes made by the act; amending s. 932.704, F.S.; requiring each state or local law enforcement agency that seizes property for the purpose of forfeiture to perform a specified periodic review at least annually and address deficiencies to ensure compliance with this act; prohibiting certain compensation or benefit to any law enforcement officer from being dependent upon attaining a quota of seizures; requiring a seizing agency to have certain written policies, procedures, and training to comply with specified legal requirements; requiring the probable cause for seizure to be promptly reviewed by supervisory personnel; requiring the seizing agency's legal counsel to be timely notified and to conduct a specified review; requiring each seizing agency to have specified written policies and procedures for the prompt release of seized property under certain circumstances; requiring that settlement of any forfeiture actions be consistent with certain mandates and with the seizing agency's policy or directives; requiring specified training and maintenance of records for such training; amending s. 932.7055, F.S.; deleting a provision



907400

417 authorizing a seizing agency to retain seized property  
418 for its use; deleting an obsolete provision; revising  
419 the distribution and the use of proceeds from the  
420 sales of forfeited property seized by a county or  
421 municipal agency; authorizing an agency or  
422 organization, other than a seizing agency, to apply  
423 for funds from specified proceeds; requiring that  
424 funding requests be made in writing and include a  
425 certification that the expenditure meets certain  
426 requirements; specifying that such requests are public  
427 records; deleting a provision relating to certain  
428 expenditure or donation of forfeiture proceeds;  
429 requiring certain proceeds to be deposited into the  
430 Crimes Compensation Trust Fund, rather than the  
431 General Revenue Fund; deleting provisions that exempt  
432 certain state agencies from depositing proceeds from  
433 seizures into the General Revenue Fund; requiring a  
434 law enforcement agency participating in certain  
435 forfeiture proceedings to submit a report to the  
436 Department of Law Enforcement on a periodic basis  
437 detailing specified information; making technical  
438 changes; creating s. 932.7061, F.S.; requiring each  
439 state or local law enforcement agency that seizes  
440 property for the purpose of forfeiture to complete an  
441 annual report; requiring certain information to be  
442 included in the annual report; requiring the report to  
443 be kept on file with the seizing agency for public  
444 access; amending ss. 322.34, 323.001, 328.07, and  
445 817.625, F.S.; conforming cross-references; reenacting





907400

446 ss. 27.3451 and 874.08, F.S., relating to the State  
447 Attorney's Forfeiture and Investigative Support Trust  
448 Fund, and criminal gang activity, recruitment, and  
449 forfeiture, respectively, to incorporate the amendment  
450 made to s. 932.704, F.S., in references thereto;  
451 reenacting ss. 381.0081(5)(b),