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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/30/2015	.	
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The Committee on Criminal Justice (Brandes) recommended the following:

1 **Senate Substitute for Amendment (757076) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

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

8 932.701 Short title; definitions.—

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



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11 Section 2. Subsection (11) of section 932.704, Florida
12 Statutes, is amended to read:

13 932.704 Forfeiture proceedings.—

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

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

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

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

38 (e) A seizing agency must ensure, through the use of
39 written policies, procedures, and training, compliance with all



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40 applicable legal requirements regarding seizing, maintaining,
41 and forfeiting property under this act.

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

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

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

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

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



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69 932.7055 Disposition of liens and forfeited property.—

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

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

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

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

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

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

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

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

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

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



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98 (b) Payment of the cost incurred by the seizing agency in
99 connection with the storage, maintenance, security, and
100 forfeiture of such property.

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

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

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



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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, each any~~ local law enforcement agency ~~that acquires~~
153 ~~at least \$15,000 pursuant to the Florida Contraband Forfeiture~~
154 ~~Act within a fiscal year must expend or donate~~ 50 ~~no less than~~
155 15 percent of such proceeds pursuant to the Florida Contraband



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

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

183 (6) If the seizing agency is a state agency, all remaining
184 proceeds shall be deposited into the Crimes Compensation Trust



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185 ~~Fund General Revenue Fund. However, if the seizing agency is:~~

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

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

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

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

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



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214 ~~to be used for the investigation of crime and prosecution of~~
215 ~~criminals within the judicial circuit.~~

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

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

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

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

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



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243 ~~abuse, neglect, and other related cases by the Medicaid Fraud~~
244 ~~Control Unit.~~

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

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

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

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

270 (9) A ~~Neither the law enforcement agency, or nor~~ the entity
271 having budgetary control over the law enforcement agency, may



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272 not shall anticipate future forfeitures or the proceeds from
273 those forfeitures therefrom in the adoption and approval of the
274 agency's budget ~~for the law enforcement agency.~~

275 Section 4. Section 932.7061, Florida Statutes, is created
276 to read:

277 932.7061 Each state or local law enforcement agency that
278 seizes property for the purpose of forfeiture must complete an
279 annual report indicating whether that agency has received or
280 forfeited property under this act. The report, to be submitted
281 on a form designed by the law enforcement agency, must, at a
282 minimum, specify the type of property, its approximate value,
283 the court case number, the type of offense for which the
284 property was seized, disposition of the property, and the dollar
285 amount of the proceeds received or expended in seizing the
286 property. This report must be kept on file with the seizing
287 agency for public access.

288 Section 5. Paragraph (a) of subsection (9) of section
289 322.34, Florida Statutes, is amended to read:

290 322.34 Driving while license suspended, revoked, canceled,
291 or disqualified.—

292 (9) (a) A motor vehicle that is driven by a person under the
293 influence of alcohol or drugs in violation of s. 316.193 is
294 subject to seizure and forfeiture under ss. 932.701-932.7061
295 ~~932.706~~ and is subject to liens for recovering, towing, or
296 storing vehicles under s. 713.78 if, at the time of the offense,
297 the person's driver license is suspended, revoked, or canceled
298 as a result of a prior conviction for driving under the
299 influence.

300 Section 6. Subsection (4) of section 323.001, Florida



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301 Statutes, is amended to read:

302 323.001 Wrecker operator storage facilities; vehicle
303 holds.—

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

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

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

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

313 (d) The officer has probable cause to believe that the
314 vehicle is itself evidence that tends to show that a crime has
315 been committed or that the vehicle contains evidence, which
316 cannot readily be removed, which tends to show that a crime has
317 been committed;

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

322 (f) The vehicle is impounded or immobilized pursuant to s.
323 316.193 or s. 322.34; or

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

325 Section 7. Paragraph (b) of subsection (3) of section
326 328.07, Florida Statutes, is amended to read:

327 328.07 Hull identification number required.—

328 (3)

329 (b) If any of the hull identification numbers required by



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

346 Section 8. Paragraph (c) of subsection (2) of section
347 817.625, Florida Statutes, is amended to read:

348 817.625 Use of scanning device or reencoder to defraud;
349 penalties.—

350 (2)

351 (c) Any person who violates subparagraph (a)1. or
352 subparagraph (a)2. shall also be subject to the provisions of
353 ss. 932.701-932.7061 ~~932.706~~.

354 Section 9. For the purpose of incorporating the amendment
355 made by this act to section 932.704, Florida Statutes, in a
356 reference thereto, section 27.3451, Florida Statutes, is
357 reenacted to read:

358 27.3451 State Attorney's Forfeiture and Investigative



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

368 Section 10. For the purpose of incorporating the amendment
369 made by this act to section 932.704, Florida Statutes, in a
370 reference thereto, section 874.08, Florida Statutes, is
371 reenacted to read:

372 874.08 Criminal gang activity and recruitment; forfeiture.—
373 All profits, proceeds, and instrumentalities of criminal gang
374 activity and all property used or intended or attempted to be
375 used to facilitate the criminal activity of any criminal gang or
376 of any criminal gang member; and all profits, proceeds, and
377 instrumentalities of criminal gang recruitment and all property
378 used or intended or attempted to be used to facilitate criminal
379 gang recruitment are subject to seizure and forfeiture under the
380 Florida Contraband Forfeiture Act, s. 932.704.

381 Section 11. For the purpose of incorporating the amendment
382 made by this act to section 932.7055, Florida Statutes, in a
383 reference thereto, paragraph (c) of subsection (2) of section
384 895.09, Florida Statutes, is reenacted and amended to read:

385 895.09 Disposition of funds obtained through forfeiture
386 proceedings.—

387 (2)



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388 (c) Any funds distributed to an investigating law
389 enforcement agency under paragraph (a) shall be deposited in the
390 applicable ~~law enforcement~~ trust fund established ~~for that~~
391 ~~agency~~ pursuant to s. 932.7055 and expended for the purposes and
392 in the manner authorized in that section. In addition, any funds
393 distributed to an investigating law enforcement agency pursuant
394 to this section may be used to pay the costs of investigations
395 of violations of this chapter and the criminal prosecutions and
396 civil actions related thereto, pursuant to s. 932.7055. Such
397 costs may include all taxable costs; costs of protecting,
398 maintaining, and forfeiting the property; employees' base
399 salaries and compensation for overtime; and such other costs
400 directly attributable to the investigation, prosecution, or
401 civil action.

402 Section 12. For the purpose of incorporating the amendment
403 made by this act to section 932.7055, Florida Statutes, in a
404 reference thereto, paragraph (b) of subsection (5) of section
405 381.0081, Florida Statutes, is reenacted to read:

406 381.0081 Permit required to operate a migrant labor camp or
407 residential migrant housing; penalties for unlawful
408 establishment or operation; allocation of proceeds.—

409 (5) SEIZURE.—

410 (b) After satisfying any liens on the property, the
411 remaining proceeds from the sale of the property seized under
412 this section shall be allocated as follows if the department
413 participated in the inspection or investigation leading to
414 seizure and forfeiture under this section:

415 1. One-third of the proceeds shall be allocated to the law
416 enforcement agency involved in the seizure, to be used as



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417 provided in s. 932.7055.

418 2. One-third of the proceeds shall be allocated to the
419 department, to be used for purposes of enforcing the provisions
420 of this section.

421 3. One-third of the proceeds shall be deposited in the
422 State Apartment Incentive Loan Fund, to be used for the purpose
423 of providing funds to sponsors who provide housing for
424 farmworkers.

425 Section 13. For the purpose of incorporating the amendment
426 made by this act to section 932.7055, Florida Statutes, in a
427 reference thereto, paragraph (b) of subsection (6) of section
428 932.703, Florida Statutes, is reenacted to read:

429 932.703 Forfeiture of contraband article; exceptions.—

430 (6)

431 (b) A bona fide lienholder's interest that has been
432 perfected in the manner prescribed by law prior to the seizure
433 may not be forfeited under the Florida Contraband Forfeiture Act
434 unless the seizing agency establishes by a preponderance of the
435 evidence that the lienholder had actual knowledge, at the time
436 the lien was made, that the property was being employed or was
437 likely to be employed in criminal activity. If a lienholder's
438 interest is not subject to forfeiture under the requirements of
439 this section, such interest shall be preserved by the court by
440 ordering the lienholder's interest to be paid as provided in s.
441 932.7055.

442 Section 14. This act shall take effect July 1, 2015.

443

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

445 And the title is amended as follows:



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446 Delete everything before the enacting clause
447 and insert:

448 A bill to be entitled
449 An act relating to contraband forfeiture; amending s.
450 932.701, F.S.; conforming a cross-reference to changes
451 made by the act; amending s. 932.704, F.S.; requiring
452 each state or local law enforcement agency that seizes
453 property for the purpose of forfeiture to perform a
454 specified periodic review at least annually;
455 prohibiting certain compensation or benefit to any law
456 enforcement officer from being dependent upon
457 attaining a quota of seizures; requiring a seizing
458 agency to have certain written policies, procedures,
459 and training to comply with specified legal
460 requirements; requiring the probable cause for seizure
461 to be promptly reviewed by supervisory personnel;
462 requiring the seizing agency's legal counsel to be
463 timely notified and conduct a specified review;
464 requiring each seizing agency to have specified
465 written policies and procedures for the prompt release
466 of seized property under certain circumstances;
467 requiring that settlement of any forfeiture actions be
468 consistent with certain mandates and with the seizing
469 agency's policy or directives; requiring specified
470 training and maintenance of records for such training;
471 amending s. 932.7055, F.S.; revising the options a
472 seizing agency may elect after obtaining a final
473 judgment granting forfeiture of property; deleting an
474 obsolete provision; revising the distribution and the



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475 use of proceeds from the sales of forfeited property
476 seized by a county or municipal agency; authorizing an
477 agency or organization, other than a seizing agency,
478 to apply for funds from specified proceeds; requiring
479 that funding requests be made in writing and include a
480 certification that the expenditure meets certain
481 requirements; specifying that such requests are public
482 records; deleting a provision relating to certain
483 expenditure or donation of forfeiture proceeds;
484 requiring certain proceeds to be deposited into the
485 Crimes Compensation Trust Fund, rather than the
486 General Revenue Fund; deleting provisions that exempt
487 certain agencies of the state from depositing proceeds
488 from seizures into the General Revenue Fund; making
489 technical changes; creating s. 932.7061, F.S.;
490 requiring each state or local law enforcement agency
491 that seizes property for the purpose of forfeiture to
492 complete an annual report; requiring certain
493 information to be included in the annual report;
494 requiring the report to be kept on file with the
495 seizing agency for public access; amending ss. 322.34,
496 323.001, 328.07, and 817.625, F.S.; conforming cross-
497 references to changes made by the act; reenacting ss.
498 27.3451 and 874.08, F.S., relating to the State
499 Attorney's Forfeiture and Investigative Support Trust
500 Fund and criminal gang activity, recruitment, and
501 forfeiture, respectively, to incorporate the amendment
502 made to s. 932.704, F.S., in references thereto;
503 reenacting and amending 895.09(2)(c), F.S., relating



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504 to the disposition of funds obtained through
505 forfeiture proceedings, to incorporate the amendment
506 made to s. 932.7055, F.S., in a reference thereto;
507 reenacting ss. 381.0081(5)(b) and 932.703(6)(b), F.S.,
508 relating to the allocations of proceeds from the sales
509 of property in a migrant labor camp or residential
510 migrant housing and the forfeiture of contraband
511 articles, respectively, to incorporate the amendment
512 made to s. 932.7055, F.S., in references thereto;
513 providing an effective date.