

By Senator Stargel

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1 A bill to be entitled
2 An act relating to reports concerning seized or
3 forfeited property; amending s. 932.7061, F.S.;
4 revising the deadline for submitting an annual report
5 by law enforcement agencies concerning property seized
6 or forfeited under the Florida Contraband Forfeiture
7 Act; reenacting s. 932.7062, F.S., relating to a
8 penalty for noncompliance with reporting requirements,
9 to incorporate the amendment made to s. 932.7061,
10 F.S., in a reference thereto; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Subsection (1) of section 932.7061, Florida
16 Statutes, is amended to read:

17 932.7061 Reporting seized property for forfeiture.—

18 (1) Every law enforcement agency shall submit an annual
19 report to the Department of Law Enforcement indicating whether
20 the agency has seized or forfeited property under the Florida
21 Contraband Forfeiture Act. A law enforcement agency receiving or
22 expending forfeited property or proceeds from the sale of
23 forfeited property in accordance with the Florida Contraband
24 Forfeiture Act shall submit a completed annual report by
25 December 1 ~~October 10~~ documenting the receipts and expenditures.
26 The report shall be submitted in an electronic form, maintained
27 by the Department of Law Enforcement in consultation with the
28 Office of Program Policy Analysis and Government Accountability,
29 to the entity that has budgetary authority over such agency and

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30 to the Department of Law Enforcement. The annual report must, at
31 a minimum, specify the type, approximate value, court case
32 number, type of offense, disposition of property received, and
33 amount of any proceeds received or expended.

34 Section 2. For the purpose of incorporating the amendment
35 made by this act to section 932.7061, Florida Statutes, in a
36 reference thereto, section 932.7062, Florida Statutes, is
37 reenacted to read:

38 932.7062 Penalty for noncompliance with reporting
39 requirements.—A seizing agency that fails to comply with the
40 reporting requirements in s. 932.7061 is subject to a civil fine
41 of \$5,000, to be determined by the Chief Financial Officer and
42 payable to the General Revenue Fund. However, such agency is not
43 subject to the fine if, within 60 days after receipt of written
44 notification from the Department of Law Enforcement of
45 noncompliance with the reporting requirements of the Florida
46 Contraband Forfeiture Act, the agency substantially complies
47 with those requirements. The Department of Law Enforcement shall
48 submit any substantial noncompliance to the office of Chief
49 Financial Officer, which shall be responsible for the
50 enforcement of this section.

51 Section 3. This act shall take effect July 1, 2018.