

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Sabatini offered the following:

Amendment (with title amendment)

Between lines 258 and 259, insert:

6 Section 6. Section 932.7071, Florida Statutes, is created
7 to read:

8 932.7071 Forfeiture adoption under federal law.-

9 (1) PROHIBITION OF FEDERAL ADOPTION.-A local, county, or
10 state law enforcement agency may not refer, transfer, or
11 otherwise relinquish possession of property seized under state
12 law to a federal agency by way of adoption of the seized
13 property or other means by the federal agency for the purpose of
14 the property's forfeiture under the federal Controlled
15 Substances Act, Pub. L. No. 91-513 Oct. 27, 1970, 21 U.S.C. ss.
16 801 et seq.

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17 (2) JOINT TASK FORCES.—

18 (a) In a case in which the aggregate net equity value of
19 the property and currency seized is \$100,000 or less, excluding
20 the value of contraband, a local, county, or state law
21 enforcement agency or a participant in a joint task force or
22 other multijurisdictional collaboration with the Federal
23 Government or an agency thereof shall transfer responsibility
24 for the seized property to the state prosecuting authority for
25 forfeiture under state law.

26 (b) If the Federal Government prohibits the transfer of
27 seized property and currency to the state prosecuting authority
28 as required under paragraph (a) and instead requires that the
29 property be transferred to the Federal Government for forfeiture
30 under federal law, the agency is prohibited from accepting
31 payment of any kind or distribution of forfeiture proceeds from
32 the Federal Government.

33 (c) Paragraphs (a) and (b) do not restrict an agency from
34 transferring responsibility to the Federal Government for
35 forfeiture of seized property and currency that has an aggregate
36 net equity value of greater than \$100,000, excluding the value
37 of contraband.

38 (3) NO CHANGE TO SEIZURE LAWS.—Subsections (1) and (2) do
39 not restrict a local, county, or state law enforcement agent
40 from seizing contraband or property if the agent would otherwise
41 be lawfully permitted to do so.

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42 (4) FEDERAL GOVERNMENT.—Subsections (1) and (2) do not
43 prohibit the Federal Government, acting without the involvement
44 of local, county, or state law enforcement agents, from seizing
45 property and seeking forfeiture under federal law.

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47
48 **T I T L E A M E N D M E N T**

49 Remove everything before the enacting clause and insert:

50 A bill to be entitled

51 An act relating to contraband; amending s. 916.1085,
52 F.S.; prohibiting the introduction of certain cannabis
53 substances, cellular telephones and other portable
54 communication devices, and vapor-generating electronic
55 devices into specified facilities of the Department of
56 Children and Families; providing criminal penalties;
57 amending s. 944.47; prohibiting the introduction of
58 certain cannabis substances and vapor-generating
59 electronic devices into a correctional institution;
60 providing criminal penalties; amending s. 951.22,
61 F.S.; prohibiting the introduction of certain cannabis
62 substances and vapor-generating electronic devices
63 into a county detention facility; providing criminal
64 penalties; amending s. 985.711, F.S.; prohibiting the
65 introduction of certain cannabis substances, cellular
66 telephones and other portable communication devices,

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67 and vapor-generating electronic devices into specified
68 juvenile justice facilities; providing criminal
69 penalties; amending s. 921.0022, F.S.; ranking the
70 offense of introducing certain contraband into
71 specified facilities of the Department of Children and
72 Families for purposes of the Criminal Punishment Code;
73 creating s. 932.7071, F.S.; prohibiting transfer of
74 possession of property seized under state law to the
75 Federal Government for the purpose of the property's
76 forfeiture under federal law under certain
77 circumstances; providing guidelines relating to state
78 participation in joint task forces which results in
79 property seizures; providing construction; providing
80 an effective date.