

STORAGE NAME: h1845.cja.doc
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**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CRIMINAL JUSTICE
TRUST FUND RE-CREATION ANALYSIS**

BILL #: HB 1845 (PCB CJA 02-07)

RELATING TO: State Attorney RICO Trust Fund

SPONSOR(S): Committee on Criminal Justice Appropriations and Representative Ball

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) CRIMINAL JUSTICE APPROPRIATIONS YEAS 11 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

This legislation re-creates the State Attorney RICO (Racketeer Influenced and Corrupt Organization) Trust Fund, FLAIR number 212095, without modification. The State Attorney RICO Trust Fund is administered by the Justice Administrative Commission.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:

Section 27.345, F.S., creates the trust fund.

Section 895.09, F.S., provides for revenues from forfeiture proceedings.

2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:

The State Attorney RICO Trust Fund supports prosecution, investigation, and enforcement activities as exercised by the state attorneys.

For the 2001-2002 fiscal year, the Legislature appropriated \$428,300.

3. MAJOR SOURCES OF REVENUE FOR THE FUND:

The primary source of revenue for the State Attorney RICO Trust Fund is court judgments of forfeiture against defendants in RICO proceedings. After all claims are satisfied, 25 percent of the funds are distributed to the appropriate prosecutorial entity, 25 percent to the investigating law enforcement agency, 25 percent to the Substance Abuse Trust Fund of the Department of Health, and 25 percent to the Department of Natural Resources. Total receipts from these fines, forfeitures and judgments in the 2000-2001 fiscal year were \$1,658. Agency estimates for the 2001-2002 fiscal year and the 2002-2003 fiscal year are \$428,273 and \$443,167, respectively.

B. EFFECT OF PROPOSED CHANGES:

This bill re-creates the trust fund without modification

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

IV. COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VI. SIGNATURES:

COMMITTEE ON CRIMINAL JUSTICE:

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