

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 738

SPONSOR: Senator Cowin

SUBJECT: Civil RICO Trust Fund

DATE: December 20, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Mannelli	Beck	APJ	Favorable
2.	_____	_____	AP	Withdrawn: Favorable
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This legislation re-creates the Civil RICO Trust Fund without modification, effective upon becoming a law. The Civil RICO Trust Fund, FLAIR #21-2-095, is administered by the Justice Administration Commission. This fund was created by Chapter 98-352.

II. Present Situation:

The receipts of the Civil RICO Trust Fund can be used for prosecution, investigation, and enforcement activities by the state attorneys related to civil or criminal causes of action arising out of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act.

The primary source of revenue for the Civil RICO Trust Fund is court judgments of forfeiture against a defendant in a RICO proceeding.

III. Effect of Proposed Changes:

This bill re-creates the trust fund without modification.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

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.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.