

ENROLLED

HB 5203

2024 Legislature

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 2 An act relating to property seized by the Florida
 3 Gaming Control Commission; amending s. 849.19, F.S.;
 4 providing that any seized machine and the cash therein
 5 shall be deposited into the Florida Gaming Control
 6 Commission Pari-Mutuel Wagering Trust Fund; amending
 7 s. 849.44, F.S.; providing that the proceeds from a
 8 sale or other disposition of seized property shall be
 9 deposited into the Florida Gaming Control Commission
 10 Pari-Mutuel Wagering Trust Fund; amending s. 932.7055,
 11 F.S.; providing an exemption for the proceeds accrued
 12 under the provisions of the Florida Contraband
 13 Forfeiture Act; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Section 849.19, Florida Statutes, is amended to
 18 read:

19 849.19 Property rights in confiscated machine.—The right
 20 of property in and to any machine, apparatus or device as
 21 defined in s. 849.16 and to all money and other things of value
 22 therein, is declared not to exist in any person, and the same
 23 shall be forfeited and deposited into the Florida Gaming Control
 24 Commission's Pari-Mutuel Wagering Trust Fund if the Florida
 25 Gaming Control Commission is the seizing agency. Otherwise, and

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26 | such money or other things of value shall be forfeited to the
 27 | county in which the seizure was made and shall be delivered
 28 | forthwith to the clerk of the circuit court and shall by her or
 29 | him be placed in the fine and forfeiture fund of said county.

30 | Section 2. Section 849.44, Florida Statutes, is amended to
 31 | read:

32 | 849.44 Disposition of proceeds of forfeiture.—All sums
 33 | received from a sale or other disposition of ~~the seized~~ property
 34 | that is seized by the Florida Gaming Control Commission shall be
 35 | deposited into the Pari-Mutuel Wagering Trust Fund. Otherwise,
 36 | all sums received from a sale or other disposition of the seized
 37 | property shall be deposited ~~paid~~ into the county fine and
 38 | forfeiture fund ~~and shall become a part thereof~~; provided,
 39 | however, that in instances where the seizure is by a municipal
 40 | police officer within the limits of any municipality having an
 41 | ordinance requiring such vehicles, vessels or conveyances to be
 42 | forfeited, the city attorney shall act in behalf of the city in
 43 | lieu of the state attorney and shall proceed to forfeit the
 44 | property as herein provided, and all sums received ~~therefrom~~
 45 | shall be deposited ~~go~~ into the city's general operating fund ~~of~~
 46 | ~~the city~~.

47 | Section 3. Paragraph (n) is added to subsection (6) of
 48 | section 932.7055, Florida Statutes, to read:

49 | 932.7055 Disposition of liens and forfeited property.—

50 | (6) If the seizing agency is a state agency, all remaining

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51 | proceeds shall be deposited into the General Revenue Fund.
52 | However, if the seizing agency is:
53 | (n) The Florida Gaming Control Commission, the proceeds
54 | accrued pursuant to the Florida Contraband Forfeiture Act shall
55 | be deposited into the Pari-mutuel Wagering Trust Fund
56 | established by s. 550.0951(5) or into the Florida Gaming Control
57 | Commission's Federal Law Enforcement Trust Fund established by
58 | s. 16.717, as applicable, to be used for the operation of the
59 | Florida Gaming Control Commission in accordance with ss. 16.71-
60 | 16.716.
61 | Section 4. This act shall take effect July 1, 2024.