

CHAPTER 2024-55

House Bill No. 5203

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

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

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

849.19 Property rights in confiscated machine.—The right of property in and to any machine, apparatus or device as defined in s. 849.16 and to all money and other things of value therein, is declared not to exist in any person, and the same shall be forfeited and deposited into the Florida Gaming Control Commission's Pari-Mutuel Wagering Trust Fund if the Florida Gaming Control Commission is the seizing agency. Otherwise, and such money or other things of value shall be forfeited to the county in which the seizure was made and shall be delivered forthwith to the clerk of the circuit court and shall by her or him be placed in the fine and forfeiture fund of said county.

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

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

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

932.7055 Disposition of liens and forfeited property.—

(6) If the seizing agency is a state agency, all remaining proceeds shall be deposited into the General Revenue Fund. However, if the seizing agency is:

(n) The Florida Gaming Control Commission, the proceeds accrued pursuant to the Florida Contraband Forfeiture Act shall be deposited into the Pari-mutuel Wagering Trust Fund established by s. 550.0951(5) or into the Florida Gaming Control Commission's Federal Law Enforcement Trust Fund established by s. 16.717, as applicable, to be used for the operation of the Florida Gaming Control Commission in accordance with ss. 16.71-16.716.

Section 4. This act shall take effect July 1, 2024.

Approved by the Governor April 2, 2024.

Filed in Office Secretary of State April 2, 2024.