

CHAPTER 97-60

Committee Substitute for Senate Bill No. 300

An act relating to the Comptroller; amending s. 17.20, F.S.; authorizing the deduction of certain fees and expenses from property that has not been claimed and is reportable to the department; providing a report; amending s. 17.325, F.S.; revising language with respect to governmental efficiency hotlines; revising requirements with respect to “Get Lean” telephone calls; providing for certain confidentiality; amending s. 687.143, F.S.; requiring the Department of Banking and Finance to deposit certain fines in the Division of Financial Investigations Administrative Trust Fund; amending s. 939.01, F.S.; providing for certain investigative costs to be entered in a judgment; providing an effective date.

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

Section 1. Section 17.20, Florida Statutes, is amended to read:

17.20 Assignment of claims for collection.—

(1) The Department of Banking and Finance shall charge the state attorneys with the collection of all claims that are placed in their hands for collection of money or property for the state or any county or special district, or that it otherwise requires them to collect. The charges are evidence of indebtedness of a state attorney against whom any charge is made for the full amount of the claim, until the charges have been collected and paid into the treasury of the state or of the county or special district or the legal remedies of the state have been exhausted, or until the state attorney demonstrates to the department that the failure to collect the charges is not due to negligence and the department has made a proper entry of satisfaction of the charge against the state attorney.

(2) The department may assign the collection of any claim to a collection agent who is registered and in good standing pursuant to chapter 559, if the department determines the assignment to be cost-effective. The department may pay an agent from any amount collected under the claim a fee that the department and the agent have agreed upon; may authorize the agent to deduct the fee from the amount collected; may require the appropriate state agency, county, or special district to pay the agent the fee from any amount collected by the agent on its behalf; or may authorize the agent to add the fee to the amount to be collected.

(3) Notwithstanding any other provision of law, in any contract providing for the location or collection of unclaimed property, the department may authorize the contractor to deduct its fees and expenses for services provided under the contract from the unclaimed property that the contractor has recovered or collected under the contract. The department shall annually report to the Governor, President of the Senate, and the Speaker of the House of Representatives the total amount collected or recovered by each

contractor during the previous fiscal year and the total fees and expenses deducted by each contractor.

Section 2. Subsections (1), (2), and (3) of section 17.325, Florida Statutes, are amended to read:

17.325 Governmental efficiency hotline; duties of Comptroller.—

(1) By September 1, 1992, the Comptroller shall establish and operate a statewide toll-free telephone hotline to receive information or suggestions from the citizens of this state on how to improve the operation of government, increase governmental efficiency, and eliminate waste in government. The Comptroller shall report each month to the Appropriations Committee of the House of Representatives and of the Senate the information or suggestions received through the hotline and the evaluations and determinations made by the affected agency Comptroller, as provided in subsection (3), with respect to such information or suggestions.

(2) The Comptroller shall operate the hotline 24 hours a day. The Comptroller shall advertise the availability of the hotline in newspapers ~~each newspaper~~ of general circulation in this state and shall provide for the posting of notices in conspicuous places in state agency offices, city halls, county courthouses, and places in which there is exposure to significant numbers of the general public, including, but not limited to, local convenience stores, shopping malls, shopping centers, gasoline stations, or restaurants. The Comptroller shall use the slogan, "Tell us where we can 'Get Lean,'" for the hotline and in advertisements for the hotline.

(3) Each telephone call on the hotline shall be received by the office of the Comptroller, and the office of the Comptroller shall conduct an evaluation to determine if it is appropriate for the telephone call to be processed as a "Get Lean" telephone call. If it is determined that the telephone call should be processed as a "Get Lean" telephone call, a record of each suggestion or item of information received shall be entered into a log kept by the Comptroller. A caller call on the hotline may remain be anonymous, and, if the caller provides his or her name, the name shall be confidential. If a caller discloses that he or she is a state employee, the Comptroller, in addition to maintaining a record as required by this section, may refer any information or suggestion from the caller to an existing state awards program administered by the affected agency Department of Management Services or by the State University System. The affected agency Comptroller shall conduct a preliminary evaluation of the efficacy of any suggestion or item of information received through the hotline and shall provide the Comptroller with ~~make~~ a preliminary determination of the amount of revenues the state might save by implementing the suggestion or making use of the ~~such~~ information.

Section 3. Subsection (3) of section 687.143, Florida Statutes, is amended to read:

687.143 Loan brokers; investigations; cease and desist orders; administrative fines.—

(3) The department may impose and collect an administrative fine against any person found to have violated any provision of this act, any rule or order promulgated by the department, or any written agreement entered into with the department in any amount not to exceed \$5,000 for each such violation. All fines collected hereunder shall be deposited in the Division of Financial Investigations Administrative Finance Regulatory Trust Fund.

Section 4. Subsection (1) of section 939.01, Florida Statutes, is amended to read:

939.01 Judgment for costs on conviction.—

(1) In all criminal cases the costs of prosecution, including investigative costs incurred by law enforcement agencies, ~~and~~ by fire departments for arson investigations, and by investigations of the Division of Financial Investigations of the Department of Banking and Finance, if requested and documented by such agencies, shall be included and entered in the judgment rendered against the convicted person.

Section 5. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 15, 1997.

Filed in Office Secretary of State May 12, 1997.