

By the Committees on Budget; and Budget Subcommittee on Criminal and Civil Justice Appropriations

576-02072-12

20122026c1

A bill to be entitled
An act relating to trust funds; re-creating the
Capital Collateral Regional Counsel Trust Fund within
the Justice Administrative Commission; amending s.
27.715, F.S.; specifying sources of funds for the
trust fund and providing its purpose; requiring that
the capital collateral regional counsels administer
the trust fund; deleting provisions relating to the
termination of the trust fund, to conform; providing
an effective date.

WHEREAS, the Legislature wishes to extend the life of the
Capital Collateral Regional Counsel Trust Fund within the
Justice Administrative Commission, which is otherwise scheduled
to be terminated pursuant to constitutional mandate, and

WHEREAS, the Legislature has reviewed the trust fund before
its scheduled termination date and has found that it continues
to meet an important public purpose, and

WHEREAS, the Legislature has found that existing public
policy concerning the trust fund sets adequate parameters for
its use, NOW, THEREFORE,

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

Section 1. The Capital Collateral Regional Counsel Trust
Fund within the Justice Administrative Commission, FLAIR number
21-2-073, which is to be terminated pursuant to Section 19(f),
Article III of the State Constitution on July 1, 2013, is re-
created.

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30 Section 2. Subsection (2) of section 27.715, Florida
31 Statutes, is amended to read:

32 27.715 Capital Collateral Regional Counsel Trust Fund.—

33 (2) Funds credited to the Capital Collateral Regional
34 Counsel Trust Fund consist of compensation and reimbursements
35 received from the Federal Government pursuant to 18 U.S.C. s.
36 3006A for legal representation in both state and federal capital
37 postconviction proceedings to any person convicted and sentenced
38 to death in this state who is without counsel due to indigency.
39 The capital collateral regional counsels, administratively
40 housed in the Justice Administrative Commission, shall
41 administer this trust fund. ~~In accordance with s. 19(f)(2), Art.~~
42 ~~III of the State Constitution, the Capital Collateral Regional~~
43 ~~Counsel Trust Fund shall, unless terminated sooner, be~~
44 ~~terminated on July 1, 2013. Before its scheduled termination,~~
45 ~~the trust fund shall be reviewed as provided in s. 215.3206(1)~~
46 ~~and (2).~~

47 Section 3. This act shall take effect July 1, 2013.