

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, and home-invasion robbery;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the provisions of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(1)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the provisions of the Florida Anti-Fencing Act;

5. Any violation of the provisions of the Florida Anti-trust Act of 1980, as amended;

6. Any crime involving, or resulting in, fraud or deceit upon any person; or

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135,

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits.

(b) Upon request, cooperate with and assist state attorneys and state and local law enforcement officials in their efforts against organized crimes.

(c) Request and receive from any department, division, board, bureau, commission, or other agency of the state, or of any political subdivision thereof, cooperation and assistance in the performance of its duties.

(2) The Attorney General shall appoint a statewide prosecutor from not less than three persons nominated by the judicial nominating commission for the Supreme Court. The statewide prosecutor shall be in charge of the Office of Statewide Prosecution for a term of 4 years to run concurrently with the term of the appointing official. The statewide prosecutor shall be an elector of the state, shall have been a member of The Florida Bar for the preceding 5 years, and shall devote full time to the duties of statewide prosecutor and not engage in the private practice of law. The Attorney General may remove the statewide prosecutor prior to the end of his or her term. A vacancy in the position of statewide prosecutor shall be filled within 60 days. During the period of any vacancy, the Attorney General shall exercise all the powers and perform all the duties of the statewide prosecutor. A person appointed statewide prosecutor is prohibited from running for or accepting appointment to any state office for a period of 2 years following vacation of office. The statewide prosecutor shall on March 1 of each year report in writing to the Governor and the Attorney General on the activities of the office for the preceding year and on the goals and objectives for the next year.

(3) The statewide prosecutor may conduct hearings at any place in the state; summon and examine witnesses; require the production of physical evidence; sign informations, indictments, and other official documents; confer immunity; move the court to reduce the sentence of a person convicted of drug trafficking who provides substantial assistance; attend to and serve as the legal adviser to the statewide grand jury; and exercise such other powers as by law are granted to state attorneys. The statewide prosecutor may designate one or more assistants to exercise any such powers.

(4) It is the intent of the Legislature that in carrying out the duties of this office, the statewide prosecutor shall, whenever feasible, use sworn investigators employed by the Department of Law Enforcement, and may request the assistance, where appropriate, of sworn investigators employed by other law enforcement agencies.

**History.**—ss. 1, 9, ch. 85-179; s. 1, ch. 90-12; s. 1, ch. 92-108; s. 4, ch. 93-212; s. 51, ch. 95-147; s. 5, ch. 95-427; s. 8, ch. 96-252; s. 6, ch. 96-260; s. 69, ch. 96-388.

**16.59 Medicaid fraud control.**—There is created in the Department of Legal Affairs the Medicaid Fraud Control Unit, which may investigate all violations of s. 409.920 and any criminal violations discovered during the course of those investigations. The Medicaid Fraud Control Unit may refer any criminal violation so uncovered to the appropriate prosecuting authority.

**History.**—s. 2, ch. 94-251; s. 1, ch. 96-331.

## CHAPTER 17

### COMPTROLLER

- 17.0401 Confidentiality of information relating to financial investigations.  
 17.076 Direct deposit of funds.  
 17.325 Governmental efficiency hotline; duties of Comptroller.

**17.0401 Confidentiality of information relating to financial investigations.**—Except as otherwise provided by this section, information relative to an investigation conducted by the Division of Financial Investigations pursuant to s. 17.04, including any consumer complaint, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation is completed or ceases to be active. Any information relating to an investigation conducted by the division pursuant to s. 17.04 shall remain confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution after the division's investigation is completed or ceases to be active if the division submits the information to any law enforcement or prosecutorial agency for further investigation. Such information shall remain confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until that agency's investigation is completed or ceases to be active. For purposes of this section, an investigation shall be considered "active" so long as the division or any law enforcement or prosecutorial agency is proceeding with

reasonable dispatch and has a reasonable good faith belief that the investigation may lead to the filing of an administrative, civil, or criminal proceeding. This section shall not be construed to prohibit disclosure of information which is required by law to be filed with the Department of Banking and Finance and which, but for the investigation, would otherwise be subject to public disclosure. Nothing in this section shall be construed to prohibit the division from providing information to any law enforcement or prosecutorial agency. Any law enforcement or prosecutorial agency receiving confidential information from the division in connection with its official duties shall maintain the confidentiality of the information as provided for in this section.

**History.**—s. 1, ch. 95-425; s. 3, ch. 96-406.

#### 17.076 Direct deposit of funds.—

(1) As used in this section:

(a) "Beneficiary" means any person who is drawing salary or retirement benefits from the state or who is the recipient of any lawful payment from state funds.

(b) "Department" means the Department of Banking and Finance.

(2) The department shall establish a program for the direct deposit of funds to the account of the beneficiary of such a payment or disbursement in any financial institution equipped for electronic fund transfers, which institution is designated in writing by such beneficiary and has lawful authority to accept such deposits. Direct deposit of funds shall be by any electronic or other transfer medium approved by the department for such purpose.

(3) The department may contract with an authorized financial institution for the services necessary to operate the program. In order to implement the provisions of this section, the Comptroller is authorized to deposit with that financial institution the funds payable to the beneficiaries, in lump sum, by Comptroller's warrant to make the authorized direct deposits.

(4) The written authorization of a beneficiary shall be filed with the department or its designee. Such authorization shall remain in effect until withdrawn in writing by the beneficiary or dishonored by the designated financial institution.

(5) All direct deposit records made prior to October 1, 1986, are exempt from the provisions of s. 119.07(1). With respect to direct deposit records made on or after October 1, 1986, the names of the authorized financial institutions and the account numbers of the beneficiaries are confidential and exempt from the provisions of s. 119.07(1).

(6) The department shall implement local option direct deposit of funds for local governmental entities by January 1, 1996.

(7) To cover the department's actual costs for processing the direct deposit of funds other than salary or retirement benefits, the department may charge the beneficiary of the direct deposit a reasonable fee. The department may collect the fee by direct receipt from the beneficiary or by subtracting the amount of the fee from the funds due the beneficiary. Such fees collected by the department shall be deposited into the Department of Banking and Finance Administrative Trust Fund.

**History.**—s. 2, ch. 81-277; s. 1, ch. 83-120; s. 3, ch. 83-132; s. 1, ch. 86-64; s. 2, ch. 90-360; s. 3, ch. 95-312; s. 4, ch. 96-406.

#### 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 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 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 a record of each suggestion or information received shall be entered into a log kept by the Comptroller. A call on the hotline may be anonymous and 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 Department of Management Services or by the State University System. The Comptroller shall conduct a preliminary evaluation of the efficacy of any suggestion or information received through the hotline and shall make a preliminary determination of the amount of revenues the state might save by implementing the suggestion or making use of such information.

(4) Any person who provides any information through the hotline shall be immune from liability for any use of such information and shall not be subject to any retaliation by any employee of the state for providing such information or making such suggestion.

(5) The Comptroller shall adopt any rule necessary to implement the establishment, operation, and advertisement of the hotline.

**History.**—s. 4, ch. 92-316; s. 29, ch. 96-399.

## CHAPTER 18

### TREASURER

- 18.10 Deposits and investments of state money.
- 18.101 Deposits of public money outside the State Treasury; revolving funds.
- 18.125 Treasurer; powers and duties in the investment of certain funds.