

HB 573

2016

1                   A bill to be entitled  
2           An act relating to allocation of court costs; amending  
3           s. 939.185, F.S.; deleting fixed allocations of the  
4           proceeds of a specified additional court cost and  
5           authorizing boards of county commissioners to allocate  
6           such proceeds for specified purposes; deleting an  
7           obsolete provision; providing boards of county  
8           commissioners with discretion concerning allocation of  
9           additional court cost proceeds carried forward to the  
10          next fiscal year; amending s. 938.19, F.S.; conforming  
11          provisions to changes made by the act; providing an  
12          effective date.

13  
14   Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Paragraph (a) of subsection (1) of section  
17           939.185, Florida Statutes, is amended to read:

18           939.185 Assessment of additional court costs and  
19           surcharges.—

20           (1) (a) The board of county commissioners may adopt by  
21           ordinance an additional court cost, not to exceed \$65, to be  
22           imposed by the court when a person pleads guilty or nolo  
23           contendere to, or is found guilty of, or adjudicated delinquent  
24           for, any felony, misdemeanor, delinquent act, or criminal  
25           traffic offense under the laws of this state. Such additional  
26           assessment shall be accounted for separately by the county in

27 | which the offense occurred and be used only in the county  
 28 | imposing this cost, to be allocated by the board of county  
 29 | commissioners for the following purposes as follows:

30 |       1. ~~Twenty-five percent of the amount collected shall be~~  
 31 | ~~allocated~~ To fund innovations, as determined by the chief judge  
 32 | of the circuit.7

33 |       2. ~~to supplement state funding~~ For the elements of the  
 34 | ~~state courts system identified in s. 29.004 and county funding~~  
 35 | ~~for local requirements under s. 29.008(2)(a)2., including~~  
 36 | support for teen court programs, except as provided in s.  
 37 | 938.19(7); juvenile assessment centers and other juvenile  
 38 | alternative programs; or problem-solving courts as defined in s.  
 39 | 910.035(5).

40 |       3.2. ~~Twenty-five percent of the amount collected shall be~~  
 41 | ~~allocated~~ To assist counties in providing legal aid programs  
 42 | required under s. 29.008(3)(a).

43 |       4.3. ~~Twenty-five percent of the amount collected shall be~~  
 44 | ~~allocated~~ To fund personnel and legal materials for the public  
 45 | as part of a law library.

46 |       4. ~~Twenty-five percent of the amount collected shall be~~  
 47 | ~~used as determined by the board of county commissioners to~~  
 48 | ~~support teen court programs, except as provided in s. 938.19(7),~~  
 49 | ~~juvenile assessment centers, and other juvenile alternative~~  
 50 | ~~programs.~~

51 |  
 52 | Each county receiving funds under this section shall report the

53 amount of funds collected pursuant to this section and an  
54 itemized list of expenditures for all authorized programs and  
55 activities. The report shall be submitted in a format developed  
56 by the Supreme Court to the Governor, the Chief Financial  
57 Officer, the President of the Senate, and the Speaker of the  
58 House of Representatives on a quarterly basis ~~beginning with the~~  
59 ~~quarter ending September 30, 2004.~~ Quarterly reports shall be  
60 submitted no later than 30 days after the end of the quarter.  
61 Any unspent funds at the close of the county fiscal year  
62 ~~allocated under subparagraphs 2., 3., and 4.,~~ shall be carried  
63 forward to the next fiscal year to be allocated at the  
64 discretion of the board of county commissioners toward the  
65 programs specified in subparagraphs 1., 2., 3., and 4.  
66 ~~transferred for use pursuant to subparagraph 1.~~

67 Section 2. Subsection (7) of section 938.19, Florida  
68 Statutes, is amended to read:

69 938.19 Teen courts.—

70 (7) A teen court administered in a county that adopts an  
71 ordinance to assess court costs under this section may not  
72 receive court costs collected under s. 939.185(1)(a)  
73 ~~939.185(1)(a)4.~~

74 Section 3. This act shall take effect July 1, 2016.