

By Senator Klein

28-187-98

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A bill to be entitled
An act relating to county court assessments;
amending s. 34.191, F.S.; providing that the
county commission may assign the collection of
fines, court costs, and other costs imposed by
the county court and remaining unpaid after a
certain period to a private attorney or
collection agency under specified
circumstances; providing for authorization by
the county commission of any additional fee to
offset collection costs; providing an effective
date.

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

Section 1. Section 34.191, Florida Statutes, is
amended to read:

34.191 Fines, forfeitures, and costs.--

(1) All fines and forfeitures arising from offenses
tried in the county court shall be collected and accounted for
by the clerk of the court and deposited in a special trust
account. All fines and forfeitures received from violations of
ordinances or misdemeanors committed within a county, or of
municipal ordinances committed within a municipality within
the territorial jurisdiction of the county court, shall be
paid monthly to the county or municipality respectively except
as provided in s. 318.21 or s. 943.25.

(2) The county commission may assign the collection of
fines, court costs, and other costs imposed by the court which
remain unpaid for 90 days or more to a private attorney or
collection agency that is licensed or registered in this

1 state, if the county commission determines the assignment to
2 be cost-effective and has followed established bid practices.
3 The county commission may authorize a fee to be added to the
4 outstanding balance to offset any collection costs that would
5 be incurred.

6 (3)~~(2)~~ All court costs assessed in county court must
7 be paid to and retained by the county, except as provided in
8 s. 943.25 and subsection(4)~~(3)~~of this section.

9 (4)~~(3)~~ If a municipality incurs any cost of operation
10 of the county court, including any cost of prosecution, it may
11 apply to the chief judge of the circuit for an order directing
12 the county to distribute reasonable court costs to the
13 municipality. If not satisfied with the order of the chief
14 judge, the municipality may apply to the Supreme Court for an
15 order apportioning the costs.

16 Section 2. This act shall take effect July 1, 1998.

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19 SENATE SUMMARY

20 Provides that the county commission may assign the
21 collection of fines, court costs, and other costs imposed
22 by the county court and remaining unpaid after a certain
23 period to a private attorney or collection agency under
24 specified circumstances. Provides for authorization by
25 the county commission of any additional fee to offset
26 collection costs.
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