

STORAGE NAME: h4611z.cj
DATE: August 6, 1998

****FINAL ACTION****
SEE FINAL ACTION STATUS SECTION

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CRIMINAL JUSTICE APPROPRIATIONS
FINAL TRUST FUND RE-CREATION BILL RESEARCH**

BILL #: HB 4611
RELATING TO: Criminal Justice Standards and Training Trust Fund
SPONSOR(S): Criminal Justice Appropriations
COMPANION BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) Criminal Justice Appropriations YEAS 7 NAYS 0
- (2)
- (3)
- (4)
- (5)

I. FINAL ACTION STATUS:

HB 4611 passed the House on April 23, 1998; in the Senate was substituted for SB 2444 and passed on May 1, 1998. Became law without Governor's signature on May 30, 1998. Chapter Law 98-362.

II. SUMMARY:

This legislation re-creates the Criminal Justice Standards and Training Trust Fund without modification. The Criminal Justice Standards and Training Trust Fund is administered by the Department of Law Enforcement.

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:

Section 943.25, F.S., creates trust fund and provides for its purpose.

2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:

The Criminal Justice Training Trust Fund was created to provide for Criminal Justice Standards and Training Commission approved criminal justice advanced and specialized training and criminal justice training school enhancements. The trust fund also partially finances the Department of Law Enforcement, Division of Criminal Justice Standards and Training which supports and assists the Commission in the execution, administration, implementation, and evaluation of the Commission's activities. The Legislature appropriated \$11,325,371 to the Criminal Justice Standards and Training Trust Fund in fiscal year 1998-1999.

3. MAJOR SOURCES OF REVENUE FOR THE FUND:

The trust fund's revenues are basically from two sources. The first source is the court fee of three dollars that is assessed to every person convicted for violation of a state penal or a criminal justice statute (s. 943.25(3)). All costs collected by the courts are remitted to the Department of Revenue for deposit into the Additional Court Cost Clearing Trust Fund and are earmarked to the Department of Law Enforcement (DLE) and the Department of Community Affairs as follows: two dollars of every three dollars are deposited in the Criminal Justice Training Trust Fund (DLE), 75 cents is deposited into the Administrative Trust Fund (DLE), and the remaining 25 cents is deposited into the Trust Fund for Grant Matching of the Department of Community Affairs. The second source is five and one-tenth percent of all civil penalties received by county courts (s. 318.21(c)) is deposited in the Additional Court Cost Clearing Trust Fund of which 67 percent is deposited into the Criminal Justice Training Trust fund, 25 percent deposited into the Administrative Trust Fund, and 8 percent is deposited into the Trust Fund for Grant Matching. Any unencumbered funds remaining at the end of the fiscal year are deposited, for redistribution, in the Additional Court Cost Clearing Trust Fund.

The Commission establishes, by Rule Section 11-B.0052, Florida Administrative Code, a distribution plan of the Criminal Justice Training Trust Fund based on officer counts for each region, of which Department of Corrections is included as a region. The distribution formula further allocates funds by category: 5 percent for administration, 60 percent for training, 20 percent for operating capital outlay, and 15 percent to fixed capital outlay. The Legislature appropriates the Criminal Justice Training Trust Fund based on estimated receipts and expenditures from information supplied by the Departments of Corrections and Law Enforcement.

B. EFFECT OF PROPOSED CHANGES:

This bill re-creates the trust fund without modification.

C. STATUTE(S) AFFECTED:

N/A

IV. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

V. COMMENTS:

N/A

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES: CRIMINAL JUSTICE APPROPRIATIONS

COMMITTEE ON:

Prepared by:

Legislative Research Director:

Mark Chichetto

James P. DeBeaugrine

**FINAL RESEARCH PREPARED BY COMMITTEE ON CRIMINAL JUSTICE
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