

By Senator Gutman

34-614-98

See HB

1 A bill to be entitled
2 An act relating to court costs to fund law
3 enforcement programs; creating s. 938.06, F.S.;
4 imposing an additional court cost on fines for
5 criminal offenses in county and circuit courts;
6 authorizing the courts to increase the amount
7 under certain conditions; providing for deposit
8 in the Crime Stoppers Trust Fund; amending s.
9 16.555, F.S.; providing for distribution of
10 such funds in the trust fund by the Department
11 of Legal Affairs to counties to support
12 official Crime Stoppers and their programs;
13 providing an effective date.

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

17 Section 1. Section 938.06, Florida Statutes, is
18 created to read:

19 938.06 Additional cost for crime stoppers programs.--

20 (1) In addition to any fine prescribed by law for any
21 criminal offense, there is hereby assessed as a court cost an
22 additional surcharge of \$20 on such fine, which shall be
23 imposed by all county and circuit courts and collected by the
24 clerks of the courts together with such fine. No political
25 subdivision shall be held liable for payment of costs under
26 this section.

27 (2) The county and circuit courts have discretion to
28 order any cost assessed under this section be increased up to,
29 but not exceeding, \$500 if the severity of the crime or the
30 financial resources of the offender justify such an increase.

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1 (3) The clerk of the court shall collect and forward,
2 on a monthly basis, all costs assessed under this section,
3 less \$3 per assessment as a service charge to be retained by
4 the clerk, to the Department of Legal Affairs for deposit in
5 the Crime Stoppers Trust Fund, to be used as provided in s.
6 16.555.

7 Section 2. Section 16.555, Florida Statutes, is
8 amended to read:

9 16.555 Crime Stoppers Trust Fund; rulemaking.--

10 (1) As used in this section, the term:

11 (a) "Department" shall mean the Department of Legal
12 Affairs.

13 (b) "Units of local government" shall mean the various
14 city and county governments of the state.

15 (c) "Crime Stoppers" shall mean members of the Florida
16 Association of Crime Stoppers, Incorporated, a Florida
17 Corporation.

18 (2) The department shall have all the powers necessary
19 or appropriate to carry out the purposes and provisions of
20 this act.

21 (3) The department shall establish a trust fund for
22 the purpose of grant administration to fund Crime Stoppers and
23 their crime fighting programs within the units of a local
24 government of the state.

25 (4)(a) The department shall make applications for all
26 federal and state or private grants which meet the purposes of
27 advancing Crime Stoppers in the State of Florida. Upon
28 securing such grants, the funds shall be deposited in the
29 "Crime Stoppers Trust Fund."

30 (b) The proceeds of the court cost imposed by s.
31 938.06 shall be deposited in a separate account in the trust

1 fund, and within that account the funds shall be designated
2 according to the judicial circuit in which they were
3 collected. The funds in this account shall be used as provided
4 in paragraph (5)(b).

5 (5)(a) The department shall ~~then~~ be the disbursing
6 authority for distribution of funding to units of local
7 government, upon their application to the department for
8 funding assistance.

9 (b) Funds deposited in the trust fund pursuant to
10 paragraph (4)(b) shall be disbursed as provided in this
11 paragraph. Any county may apply to the department for a grant
12 from the funds collected in the judicial circuit in which the
13 county is located under s. 938.06. A grant may be awarded
14 only to counties which are served by an official member of the
15 Florida Association of Crime Stoppers, and may only be used to
16 support Crime Stoppers and their crime fighting programs.
17 Only one such official member shall be eligible for support
18 within any county. In order to aid the department in
19 determining eligibility, the secretary of the Florida
20 Association of Crime Stoppers shall furnish the department
21 with a schedule of authorized crime stoppers programs and
22 shall update the schedule as necessary. The department shall
23 award grants to eligible counties from available funds and
24 shall distribute funds as equitably as possible, based on
25 amounts collected within each county, when more than one
26 county is eligible within a judicial circuit.

27 (6)(5) The department shall adopt and enforce rules to
28 implement the provisions of this act. Such rules shall
29 include, but shall not be limited to:

30 (a) Criteria for local governments to apply for
31 funding from the "Crime Stoppers Trust Fund" in order to aid

1 in their local law enforcement as provided in this section
2 agency.

3 (b) The limits of funding to be distributed to local
4 government units based on a pro rata share of grants made
5 available through the "Crime Stoppers Trust Fund-" pursuant to
6 paragraph (4)(a), and criteria for the equitable distribution
7 of funds available pursuant to paragraph (4)(b).

8 (c) Provisions for the return of unused funds to be
9 redeposited in the "Crime Stoppers Trust Fund" if for any
10 reason the unit of local government does not use the funds as
11 intended within an agreed upon time.

12 (d) Provisions for the coordination with appropriate
13 governmental agencies to support and enhance efforts to train
14 the public in crime prevention methods and in personal safety
15 principles, especially for citizens who live in, work at, or
16 frequent locations having high crime rates.

17 Section 3. This act shall take effect July 1 of the
18 year in which enacted.

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21 HOUSE SUMMARY

22 Imposes an additional \$20 court cost on fines for
23 criminal offenses in county and circuit courts.
24 Authorizes the courts to increase the amount under
25 certain conditions. Provides for deposit of proceeds of
26 the court cost in the Crime Stoppers Trust Fund, and
27 provides for distribution of such funds by the Department
28 of Legal Affairs to counties to support official Crime
29 Stoppers and their programs.
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