

By the Committee on Criminal Justice and Senator Gutman

307-904-98

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A bill to be entitled  
An act relating to court costs to fund law  
enforcement programs; creating s. 938.06, F.S.;  
imposing an additional court cost on fines for  
criminal offenses in county and circuit courts;  
providing for deposit in the Crime Stoppers  
Trust Fund; amending s. 16.555, F.S.; providing  
for distribution of such funds in the trust  
fund by the Department of Legal Affairs to  
counties to support official Crime Stoppers and  
their programs; amending s. 318.18, F.S.;  
providing exceptions to limitations on court  
costs; providing an effective date.

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

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

938.06 Additional cost for crime stoppers programs.--

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

(2) The clerk of the court shall collect and forward,  
on a monthly basis, all costs assessed under this section,  
less \$3 per assessment as a service charge to be retained by  
the clerk, to the Department of Legal Affairs for deposit in

1 the Crime Stoppers Trust Fund, to be used as provided in s.  
2 16.555.

3 Section 2. Section 16.555, Florida Statutes, is  
4 amended to read:

5 16.555 Crime Stoppers Trust Fund; rulemaking.--

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

7 (a) "Department" shall mean the Department of Legal  
8 Affairs.

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

11 (c) "Crime Stoppers" shall mean members of the Florida  
12 Association of Crime Stoppers, Incorporated, a Florida  
13 Corporation.

14 (2) The department shall have all the powers necessary  
15 or appropriate to carry out the purposes and provisions of  
16 this act.

17 (3) The department shall establish a trust fund for  
18 the purpose of grant administration to fund Crime Stoppers and  
19 their crime fighting programs within the units of a local  
20 government of the state.

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

26 (b) The proceeds of the court cost imposed by s.  
27 938.06 shall be deposited in a separate account in the trust  
28 fund, and within that account the funds shall be designated  
29 according to the judicial circuit in which they were  
30 collected. The funds in this account shall be used as provided  
31 in paragraph (5)(b).

1           (5)(a) The department shall ~~then~~ be the disbursing  
2 authority for distribution of funding to units of local  
3 government, upon their application to the department for  
4 funding assistance.

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

23           ~~(6)(5)~~ The department shall adopt and enforce rules to  
24 implement the provisions of this act. Such rules shall  
25 include, but shall not be limited to:

26           (a) Criteria for local governments to apply for  
27 funding from the "Crime Stoppers Trust Fund" in order to aid  
28 in their local law enforcement as provided in this section  
29 agency.

30           (b) The limits of funding to be distributed to local  
31 government units based on a pro rata share of grants made

1 available through the "Crime Stoppers Trust Fund-" pursuant to  
2 paragraph (4)(a), and criteria for the equitable distribution  
3 of funds available pursuant to paragraph (4)(b).

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

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

13 Section 3. Subsection (11) of section 318.18, Florida  
14 Statutes, is amended to read:

15 318.18 Amount of civil penalties.--The penalties  
16 required for a noncriminal disposition pursuant to s. 318.14  
17 are as follows:

18 (11)(a) Court costs that ~~which~~ are to be in addition  
19 to the stated fine shall be imposed by the court in an amount  
20 not less than the following:

21  
22 For pedestrian infractions.....\$ 3.  
23 For nonmoving traffic infractions.....\$ 6.  
24 For moving traffic infractions.....\$10.

25 (b) In addition to the court cost assessed under  
26 paragraph (a), the court shall impose a \$3 court cost for each  
27 infraction to be distributed as provided in s. 938.01 ~~s.~~  
28 943.25(3) and a \$2 court cost as provided in s. 938.15 when  
29 assessed by a municipality or county.

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1 In no event may court costs imposed under this subsection  
2 exceed \$30. However, when the court costs authorized by s.  
3 938.15 are assessed by a municipality or county, the court  
4 costs may total up to \$32 in the county and \$34 in a  
5 municipality.A regional criminal justice assessment center or  
6 other local criminal justice access and assessment center may  
7 be funded from these court costs.

8 Section 4. This act shall take effect July 1 of the  
9 year in which enacted.

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11 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
12 COMMITTEE SUBSTITUTE FOR  
13 Senate Bill 502

- 14 \* Deletes the provision in the bill which gives the court  
15 the discretion to order an increase of the crime stoppers  
16 court cost to \$500, if the severity of the crime or the  
17 financial resources of the offender justify such an  
18 increase.  
19 \* Amends section 318.18, F.S., to provide that the court  
20 shall impose a \$2 court cost for a noncriminal traffic  
21 infraction when assessed by a municipality or county.  
22 This \$2 court cost goes to fund local law enforcement  
23 training.  
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