

By the Committees on Judiciary, Criminal Justice and Senator Gutman

308-1639-98

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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.; authorizing a court cost for noncriminal traffic infractions; 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. A regional criminal justice assessment center or
3 other local criminal justice access and assessment center may
4 be funded from these court costs.

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

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8 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
9 COMMITTEE SUBSTITUTE FOR
10 CS for SB 502

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11 The Committee Substitute for Committee Substitute for Senate
12 Bill 502 deletes from the bill a provision to increase the
13 current noncriminal traffic infraction court cost cap of \$30
14 to \$32 in the county and \$34 in the municipality.

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