

By the Committee on Crime & Punishment and Representative Heyman

1 A bill to be entitled
2 An act relating to restitution; amending s.
3 775.089, F.S.; specifying retention of
4 jurisdiction by county courts to enforce
5 restitution under certain circumstances;
6 providing an effective date.

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

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10 Section 1. Subsection (5) of section 775.089, Florida
11 Statutes, is amended to read:

12 775.089 Restitution.--

13 (5) An order of restitution may be enforced by the
14 state, or by a victim named in the order to receive the
15 restitution, in the same manner as a judgment in a civil
16 action. The outstanding unpaid amount of the order of
17 restitution bears interest in accordance with s. 55.03, and,
18 when properly recorded, becomes a lien on real estate owned by
19 the defendant. If civil enforcement is necessary, the
20 defendant shall be liable for costs and attorney's fees
21 incurred by the victim in enforcing the order. Notwithstanding
22 this section, a court which has ordered restitution for a
23 misdemeanor offense shall retain jurisdiction for the purpose
24 of enforcing the restitution order for any period, not to
25 exceed 5 years, that is pronounced by the court at the time
26 restitution is ordered.

27 Section 2. This act shall take effect October 1, 1999.
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