

By the Committee on General Appropriations and
 Representative Fuller

1 A bill to be entitled
 2 An act relating to the transfer of criminal
 3 justice programs; amending ss. 938.01 and
 4 943.25, F.S.; providing for deposit of certain
 5 funds for use by the Department of Law
 6 Enforcement, rather than the Department of
 7 Community Affairs; transferring the Criminal
 8 Justice Program from the Department of
 9 Community Affairs to the Department of Law
 10 Enforcement; transferring the Prevention of
 11 Domestic and Sexual Violence Program from the
 12 Department of Community Affairs to the
 13 Department of Children and Family Services;
 14 providing matching funds for the administration
 15 of such program; providing an effective date.

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

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 19 Section 1. Subsection (1) of section 938.01, Florida
 20 Statutes, is amended to read:

21 938.01 Additional Court Cost Clearing Trust Fund.--

22 (1) All courts created by Art. V of the State
 23 Constitution shall, in addition to any fine or other penalty,
 24 assess \$3 as a court cost against every person convicted for
 25 violation of a state penal or criminal statute or convicted
 26 for violation of a municipal or county ordinance. Any person
 27 whose adjudication is withheld pursuant to the provisions of
 28 s. 318.14(9) or (10) shall also be assessed such cost. In
 29 addition, \$3 from every bond estreature or forfeited bail bond
 30 related to such penal statutes or penal ordinances shall be
 31 forwarded to the Treasurer as described in this subsection.

1 However, no such assessment may be made against any person
2 convicted for violation of any state statute, municipal
3 ordinance, or county ordinance relating to the parking of
4 vehicles.

5 (a) All such costs collected by the courts shall be
6 remitted to the Department of Revenue, in accordance with
7 administrative rules adopted by the executive director of the
8 Department of Revenue, for deposit in the Additional Court
9 Cost Clearing Trust Fund and shall be earmarked to the
10 Department of Law Enforcement ~~and the Department of Community~~
11 ~~Affairs~~ for distribution as follows:

12 1. Two dollars and seventy-five cents of each \$3
13 assessment shall be deposited in the Criminal Justice
14 Standards and Training Trust Fund, and the remaining 25 cents
15 of each such assessment shall be deposited into the Department
16 of Law Enforcement Operating Trust Fund and shall be disbursed
17 to the ~~Bureau of Public Safety Management of the~~ Department of
18 Law Enforcement ~~Community Affairs~~.

19 2. Ninety-two percent of the money distributed to the
20 Additional Court Cost Clearing Trust Fund pursuant to s.
21 318.21 shall be earmarked to the Department of Law Enforcement
22 for deposit in the Criminal Justice Standards and Training
23 Trust Fund, and 8 percent of such money shall be deposited
24 into the Department of Law Enforcement Operating Trust Fund
25 and shall be disbursed to the ~~Bureau of Public Safety~~
26 ~~Management of the~~ Department of Law Enforcement ~~Community~~
27 ~~Affairs~~.

28 (b) The funds deposited in the Criminal Justice
29 Standards and Training Trust Fund and the Department of Law
30 Enforcement Operating Trust Fund may be invested. Any interest
31 earned from investing such funds and any unencumbered funds

1 remaining at the end of the budget cycle shall remain in the
2 respective trust fund until the following year.

3 (c) All funds in the Criminal Justice Standards and
4 Training Trust Fund earmarked to the Department of Law
5 Enforcement shall be disbursed only in compliance with s.
6 943.25(9).

7 Section 2. Subsection (1) of section 943.25, Florida
8 Statutes, is amended to read:

9 943.25 Criminal justice trust funds; source of funds;
10 use of funds.--

11 (1) The Department of Law Enforcement Community
12 ~~Affairs~~ may approve, for disbursement from the Department of
13 Law Enforcement Operating Trust Fund ~~established pursuant to~~
14 ~~s. 290.034~~, those appropriated sums necessary and required by
15 the state for grant matching, implementing, administering,
16 evaluating, and qualifying for such federal funds.
17 Disbursements from the trust fund for the purpose of
18 supplanting state general revenue funds may not be made
19 without specific legislative appropriation.

20 Section 3. The Criminal Justice Program shall be
21 transferred from the Department of Community Affairs to the
22 Department of Law Enforcement by a type two transfer, pursuant
23 to s. 20.06(2), Florida Statutes. The Criminal Justice Program
24 so transferred is comprised of the Byrne State and Local Law
25 Enforcement Assistance Program, Local Law Enforcement Block
26 Grants, Drug-Free Communities Program, Residential Substance
27 Abuse Treatment for State Prisoners, the Bulletproof Vest
28 Program, the Guantanamo Bay Refugee and Entrant Assistance
29 Program, the National Criminal History Improvement Program,
30 and the Violent Offender Incarceration and Truth-in-Sentencing
31 Program.

1 Section 4. (1) The Prevention of Domestic and Sexual
2 Violence Program is transferred from the Department of
3 Community Affairs to the Department of Children and Family
4 Services by a type two transfer, pursuant to s. 20.06(2),
5 Florida Statutes. The Domestic and Sexual Violence Program so
6 transferred is comprised of the Governor's Task Force on
7 Domestic and Sexual Violence and the Violence Against Women
8 Program.

9 (2) From the funds deposited into the Department of
10 Law Enforcement Operating Trust Fund pursuant to s.
11 938.01(1)(a)1. and 2., Florida Statutes, the Department of Law
12 Enforcement shall transfer funds to the Department of Children
13 and Family Services to be used as matching funds for the
14 administration of the Prevention of Domestic and Sexual
15 Violence Program transferred from the Department of Community
16 Affairs. The amount of the transfer for fiscal year 2000-2001
17 shall be determined by the Governor's Office of Planning and
18 Budgeting, in consultation with the Department of Community
19 Affairs, the Department of Law Enforcement, and the Department
20 of Children and Family Services, and shall be based on the
21 historic use of these funds and current needs of the
22 Prevention of Domestic and Sexual Violence Program. In
23 subsequent years, the transfer of funds shall be based on the
24 amount appropriated.

25 Section 5. This act shall take effect July 1, 2000.
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HOUSE SUMMARY

Transfers the Criminal Justice Program from the Department of Community Affairs to the Department of Law Enforcement. Transfers the Prevention of Domestic and Sexual Violence Program from the Department of Community Affairs to the Department of Children and Family Services and provides matching funds for the administration of such program. Provides for deposit of certain funds for use by the Department of Law Enforcement, rather than the Department of Community Affairs, to conform. See bill for details.