

By Senator Silver

38-1110-01

1 A bill to be entitled
2 An act relating to counties; amending s.
3 29.008, F.S.; revising provisions governing
4 county funding of court-related functions;
5 providing an effective date.

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

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9 Section 1. Section 29.008, Florida Statutes, is
10 amended to read:

11 29.008 County funding of court-related functions.--

12 (1) Counties are required by s. 14, Art. V of the
13 State Constitution to fund the cost of communications
14 services, existing radio systems, existing multiagency
15 criminal justice information systems, and the cost of
16 construction or lease, maintenance, utilities, and security of
17 facilities for the circuit and county courts, public
18 defenders' offices, state attorneys' offices, and the offices
19 of the clerks of the circuit and county courts performing
20 court-related functions. For purposes of implementing these
21 requirements, the term:

22 (a) "Facility" means reasonable and necessary
23 buildings, structures, real estate, easements, and related
24 interests in real estate, including, but not limited to, those
25 for the purpose of housing personnel, equipment, or functions
26 of the circuit or county courts, public defenders' offices,
27 state attorneys' offices, and court-related functions of the
28 office of the clerks of the circuit and county courts and all
29 storage. The term also includes access to parking for such
30 facilities in connection with such court-related functions
31 that may be available free or from a private provider or a

1 | local government for a fee. The term also includes fixtures
2 | and furnishings that are appropriate and customary for
3 | courtrooms, hearing rooms, jury facilities, and other public
4 | areas in courthouses.

5 | (b) "Construction or lease" includes, but is not
6 | limited to, all reasonable and necessary costs of the
7 | acquisition or lease of facilities, including equipment, and
8 | ~~furnishings for all judicial officers, staff, jurors,~~
9 | ~~volunteers, and the public for the circuit and county courts,~~
10 | ~~the public defenders' offices, state attorneys' offices, and~~
11 | ~~for performing the court-related functions of the offices of~~
12 | ~~the clerks of the circuit and county courts. This includes~~
13 | expenses related to financing such facilities and the existing
14 | and future cost and bonded indebtedness associated with
15 | placing the facilities in use.

16 | (c) "Maintenance" includes, but is not limited to, all
17 | reasonable and necessary costs of custodial and groundskeeping
18 | services and renovation and reconstruction as needed to
19 | accommodate functions for the circuit and county courts, the
20 | public defenders' offices, and state attorneys' offices and
21 | for performing the court-related functions of the offices of
22 | the clerks of the circuit and county court and for maintaining
23 | the facilities in a condition appropriate and safe for the use
24 | intended.

25 | (d) "Utilities" means electricity services for light,
26 | heat, or power; natural or manufactured gas services for
27 | light, heat, or power; water and wastewater services and
28 | systems, stormwater or runoff services and systems, sewer
29 | services and systems, all costs or fees associated with these
30 | services and systems, and any costs or fees associated with
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1 the mitigation of environmental impacts directly related to
2 the facility.

3 (e) "Security" means ~~includes but is not limited to,~~
4 all reasonable and necessary costs of services of law
5 enforcement officers or licensed security guards and all
6 ~~electronic, cellular, or digital~~ monitoring and screening
7 devices reasonably necessary to ensure the safety and security
8 of all persons visiting or working in a facility; to provide
9 for security of the facility, including protection of property
10 owned by the county or the state; and for security of
11 prisoners brought to any facility. This includes bailiffs
12 while providing courtroom and other security for each judge
13 and other quasi-judicial officers.

14 (f) "Communications ~~systems or communications~~
15 services" means all are defined as any reasonable and
16 necessary data-communications-related cabling, hardware, and
17 software, and telephone system equipment and infrastructure
18 ~~transmission, emission, and reception of signs, signals,~~
19 ~~writings, images, and sounds of intelligence of any nature by~~
20 ~~wire, radio, optical, or other electromagnetic systems and~~
21 ~~includes all facilities and equipment owned, leased, or used~~
22 ~~by judges, clerks, public defenders, state attorneys, and all~~
23 ~~staff of the state courts system, state attorneys' offices,~~
24 ~~public defenders' offices, and clerks of the circuit and~~
25 ~~county courts performing court-related functions. Such system~~
26 ~~or services shall include, but not be limited to:~~

27 1. ~~Telephone services and equipment, including~~
28 ~~facsimile, wireless communications, video teleconferencing,~~
29 ~~paggers, computer lines, and telephone switching equipment and~~
30 ~~the maintenance, supplies, hardware, software, and line~~

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1 ~~charges, including local and long distance toll charges, and~~
2 ~~support staff or services necessary for operation.~~

3 2. ~~Computer systems and equipment, including computer~~
4 ~~hardware and software, modems, printers, wiring, network~~
5 ~~connections, maintenance, support staff or services, training,~~
6 ~~supplies, and line charges necessary for an integrated~~
7 ~~computer system to support the operations and management of~~
8 ~~the state courts system, the offices of the public defenders,~~
9 ~~the offices of the state attorneys, and the offices of the~~
10 ~~clerks of the circuit and county courts and the capability to~~
11 ~~connect those entities and reporting data to the state as~~
12 ~~required for the transmission of revenue, performance~~
13 ~~accountability, case management, data collection, budgeting,~~
14 ~~and auditing purposes.~~

15 3. ~~Postage, printed documents, radio, courier~~
16 ~~messenger and subpoena services, support services, all~~
17 ~~maintenance, supplies, and line charges.~~

18 (g) "Existing radio systems" means includes, but is
19 ~~not limited to,~~ law enforcement radio systems that are used by
20 the circuit and county courts, the offices of the public
21 defenders, the offices of the state attorneys, and for
22 court-related functions of the offices of the clerks of the
23 circuit and county courts. This includes radio systems that
24 were operational or under contract on November 3, at the time
25 ~~Revision No. 7, 1998, and to Art. V of the State Constitution~~
26 ~~was adopted and any enhancements made thereafter,~~ the
27 maintenance of those systems, ~~and the personnel and supplies~~
28 ~~necessary for operation.~~

29 (h) "Existing multiagency criminal justice information
30 systems" includes, but is not limited to, those components of
31 the multiagency criminal justice information system as defined

1 in s. 943.045, supporting the offices of the circuit or county
2 courts, the public defenders' offices, the state attorneys'
3 offices, or those portions of the offices of the clerks of the
4 circuit and county courts performing court-related functions
5 that are used to carry out the court-related activities of
6 those entities. This includes ~~upgrades and~~ maintenance of the
7 current equipment, maintenance and upgrades of supporting
8 technology infrastructure ~~and associated staff~~, and services
9 and expenses to assure continued information sharing and
10 reporting of information to the state. ~~The counties shall~~
11 ~~also provide additional information technology services,~~
12 ~~hardware, and software as needed for new judges and staff of~~
13 ~~the state courts system, state attorneys' offices, public~~
14 ~~defenders' offices, and the offices of the clerks of the~~
15 ~~circuit and county courts performing court-related functions.~~

16 (2) Counties shall pay reasonable and necessary
17 salaries, costs, and expenses of the state courts system to
18 meet local requirements as determined by general law.

19 Section 2. This act shall take effect July 1, 2001.

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SENATE SUMMARY

Revises provisions governing county funding of
court-related functions.