

Bill No. SB 1980

Amendment No. Barcode 850310

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Burt moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 Delete everything after the enacting clause

16 and insert:

17 Section 1. Subsection (1) of section 938.01, Florida

18 Statutes, as amended by chapter 2000-171, Laws of Florida, is

19 amended to read:

20 938.01 Additional Court Cost Clearing Trust Fund.--

21 (1) All courts created by Art. V of the State

22 Constitution shall, in addition to any fine or other penalty,

23 assess \$3 as a court cost against every person convicted for

24 violation of a state penal or criminal statute or convicted

25 for violation of a municipal or county ordinance. Any person

26 whose adjudication is withheld pursuant to the provisions of

27 s. 318.14(9) or (10) shall also be assessed such cost. In

28 addition, \$3 from every bond estreature or forfeited bail bond

29 related to such penal statutes or penal ordinances shall be

30 forwarded to the Treasurer as described in this subsection.

31 However, no such assessment may be made against any person

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1 convicted for violation of any state statute, municipal
2 ordinance, or county ordinance relating to the parking of
3 vehicles.

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

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

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

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

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1 respective trust fund until the following year.

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

6 Section 2. Subsection (1) of section 943.25, Florida
7 Statutes, as amended by chapter 2000-171, Laws of Florida, is
8 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 ~~its~~ Operating Trust Fund, those appropriated
14 sums necessary and required by the state for grant matching,
15 implementing, administering, evaluating, and qualifying for
16 such federal funds. Disbursements from the trust fund for the
17 purpose of supplanting state general revenue funds may not be
18 made without specific legislative appropriation.

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

31 Section 4. (1) The Prevention of Domestic and Sexual

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

8 (2) From the funds deposited into the Department of
9 Law Enforcement Operating Trust Fund pursuant to s.
10 938.01(1)(a)1. and 2., Florida Statutes, the Department of Law
11 Enforcement shall transfer funds to the Department of Children
12 and Family Services to be used as matching funds for the
13 administration of the Prevention of Domestic and Sexual
14 Violence Program transferred from the Department of Community
15 Affairs. The amount of the transfer for fiscal year 2001-2002
16 shall be determined by the Governor's Office of Planning and
17 Budgeting, in consultation with the Department of Community
18 Affairs, the Department of Law Enforcement, and the Department
19 of Children and Family Services, and shall be based on the
20 historic use of these funds and current needs of the
21 Prevention of Domestic and Sexual Violence Program. In
22 subsequent years, the transfer of funds shall be based on the
23 amount appropriated in the General Appropriations Act.

24 Section 5. This act shall take effect upon becoming a
25 law.

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28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 Delete everything before the enacting clause

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1 and insert:

2 A bill to be entitled

3 An act relating to the transfer of criminal

4 justice programs; amending ss. 938.01 and

5 943.25, F.S., relating to the Court Cost

6 Clearing Trust Fund and criminal justice trust

7 funds; preserving certain funding functions

8 scheduled for repeal on July 1, 2001, relating

9 to deposit of certain funds for use by the

10 Department of Law Enforcement rather than the

11 Department of Community Affairs; transferring

12 the Criminal Justice Program from the

13 Department of Community Affairs to the

14 Department of Law Enforcement; transferring the

15 Prevention of Domestic and Sexual Violence

16 Program from the Department of Community

17 Affairs to the Department of Children and

18 Family Services and providing matching funds

19 for the administration of such program;

20 providing for transfer of funds; providing an

21 effective date.

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