

Bill No. CS for CS for SB 248

Amendment No. Barcode 903668

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

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11 Senator Saunders moved the following amendment:

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

14 On page 16, between lines 2 and 3,

15

16 insert:

17 Section 8. Subsection (1) of section 938.01, Florida

18 Statutes, as amended by section 40 of chapter 2000-171, Laws

19 of Florida, is 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 9. Subsection (1) of section 943.25, Florida
7 Statutes, as amended by section 42 of chapter 2000-171, Laws
8 of Florida, 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 ~~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 10. The Criminal Justice Program is
20 transferred from the Department of Community Affairs to the
21 Department of Law Enforcement by a type two transfer, pursuant
22 to section 20.06(2), Florida Statutes. The Criminal Justice
23 Program so transferred is comprised of the Byrne State and
24 Local Law Enforcement Assistance Program, Local Law
25 Enforcement Block Grants, the Drug-Free Communities Program,
26 Residential Substance Abuse Treatment for State Prisoners, the
27 Bulletproof Vest Program, the Guantanamo Bay Refugee and
28 Entrant Assistance Program, the National Criminal History
29 Improvement Program, and the Violent Offender Incarceration
30 and Truth-in-Sentencing Program.

31 Section 11. The Department of Law Enforcement may

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1 adopt rules necessary for the operation of the criminal
2 justice program.

3 Section 12. (1) The Prevention of Domestic and Sexual
4 Violence Program is transferred from the Department of
5 Community Affairs to the Department of Children and Family
6 Services by a type two transfer, pursuant to section 20.06(2),
7 Florida Statutes. The Domestic and Sexual Violence Program so
8 transferred is comprised of the Governor's Task Force on
9 Domestic and Sexual Violence and the Violence Against Women
10 Program.

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

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28 (Redesignate subsequent sections.)

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

2 And the title is amended as follows:

3 On page 1, line 19, after the semicolon

4

5 insert:

6 amending s. 938.01, F.S.; providing for
7 distribution of court costs to the Department
8 of Law Enforcement Operating Trust Fund;
9 amending s. 943.25, F.S.; authorizing the
10 Department of Law Enforcement to disburse funds
11 from its Operating Trust Fund for certain
12 purposes; providing a transfer of the Criminal
13 Justice Program from the Department of
14 Community Affairs to the Department of Law
15 Enforcement; providing for the latter
16 department to adopt rules relating to the
17 program; providing a transfer of the Prevention
18 of Domestic and Sexual Violence Program from
19 the Department of Community Affairs to the
20 Department of Children and Family Services;
21 providing a transfer of moneys from the
22 Department of Law Enforcement Operating Trust
23 Fund to the Department of Community Affairs;

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