

By Senator Cowin

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A bill to be entitled
An act relating to the County Article V Trust
Fund; amending s. 25.402, F.S.; saving the fund
from expiration; clarifying duties of the
Supreme Court with respect to use of the fund;
allowing the use of funds for the operation of
trial courts; providing a contingent effective
date.

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

Section 1. Section 25.402, Florida Statutes, is
amended to read:

25.402 County Article V Trust Fund.--

(1)(a) The trust fund moneys in the County Article V
Trust Fund, administered by the Supreme Court, may be used to
compensate counties for the costs they incur under Article V
of the State Constitution in operating the state courts
system, including the costs they incur in providing and
maintaining court facilities.

(b) When it uses moneys from the trust fund to
compensate counties, the Supreme Court must ~~shall~~ adopt an
allocation and disbursement plan for the operation of the
trust fund and the expenditure of moneys deposited in the
trust fund. The Supreme Court shall include the plan in its
legislative budget request. A committee of 15 people shall
develop and recommend the allocation and disbursement plan to
the Supreme Court. The committee shall be composed of:

1. Six persons appointed by the Florida Association of
Counties, as follows:

1 a. Two persons residing in counties with populations
2 fewer than 90,000.

3 b. Two persons residing in counties with populations
4 greater than 89,999, but fewer than 700,000.

5 c. Two persons residing in counties with populations
6 greater than 699,999.

7 2. Six persons appointed by the Chief Justice of the
8 Supreme Court, as follows:

9 a. Two persons residing in counties with populations
10 fewer than 90,000.

11 b. Two persons residing in counties with populations
12 greater than 89,999, but fewer than 700,000.

13 c. Two persons residing in counties with populations
14 greater than 699,999.

15 3. Three persons appointed by the Florida Association
16 of Court Clerks and Comptrollers, as follows:

17 a. One person residing in a county with a population
18 fewer than 90,000.

19 b. One person residing in a county with a population
20 greater than 89,999, but fewer than 700,000.

21 c. One person residing in a county with a population
22 greater than 699,999.

23
24 The allocation and disbursement plan shall include provisions
25 to compensate counties with fewer than 90,000 residents for
26 court facility needs.

27 (c) Amendments to the approved operating budget for
28 expenditures from the County Article V Trust Fund must be
29 approved in accordance with the provisions of s. 216.181. The
30 total amount disbursed from the County Article V Trust Fund
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1 may not exceed the amount authorized by the General
2 Appropriations Act.

3 (d) Effective July 1, 2001, moneys generated from
4 civil penalties distributed under s. 318.21(2)(h) shall be
5 deposited in the trust fund and may be used for the following
6 purposes:

7 1. Funds paid to counties with populations fewer than
8 90,000 shall be grants-in-aid to be used, in priority order,
9 for: operating expenditures of the offices of the state
10 attorneys and public defenders in accordance with Specific
11 Appropriation 2978B; consulting or architectural studies
12 related to the improvement of courthouse facilities; improving
13 court facilities to ensure compliance with the Americans with
14 Disabilities Act and other federal or state requirements;
15 other renovations in court facilities; improvements in court
16 security; and expert witness fees in criminal cases, court
17 reporting and transcribing costs in criminal cases, and costs
18 associated with the appointment of special public defenders.

19 2. Funds paid to counties with populations exceeding
20 89,999 shall be grants-in-aid to be used, in priority order,
21 for operating expenditures of the offices of the state
22 attorneys and public defenders in accordance with Specific
23 Appropriation 2978B, costs paid by the county for expert
24 witness fees in criminal cases, court reporting and
25 transcribing costs in criminal cases, and costs associated
26 with the appointment of special public defenders.

27 3. Funds may be appropriated for the operation of
28 trial courts.

29 (2) This section expires January 1, 2006 ~~June 30,~~
30 ~~2002.~~

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