

Bill No. HB 65-C

Amendment No. Barcode 115190

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

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Senator Cowin moved the following amendment:

Senate Amendment (with title amendment)
Delete everything after the enacting clause

and insert:

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 the Legislature appropriates 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

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1 people shall develop and recommend the allocation and
2 disbursement plan to the Supreme Court. The committee shall be
3 composed of:

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

6 a. Two persons residing in counties with populations
7 fewer than 90,000.

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

10 c. Two persons residing in counties with populations
11 greater than 699,999.

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

14 a. Two persons residing in counties with populations
15 fewer than 90,000.

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

18 c. Two persons residing in counties with populations
19 greater than 699,999.

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

22 a. One person residing in a county with a population
23 fewer than 90,000.

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

26 c. One person residing in a county with a population
27 greater than 699,999.

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29 The allocation and disbursement plan shall include provisions
30 to compensate counties with fewer than 90,000 residents for
31 court facility needs.

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

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

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

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

31 3. Funds may be appropriated for the operation of

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1 trial courts.

2 (2) This section expires June 30, 2002.

3 Section 2. This act shall take effect upon becoming a
4 law.

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

8 And the title is amended as follows:

9 Delete everything before the enacting clause

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11 and insert:

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A bill to be entitled

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An act relating to the County Article V Trust

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Fund; amending s. 25.402, F.S.; clarifying

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duties of the Supreme Court with respect to use

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of the fund; allowing the use of funds for the

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operation of trial courts; providing an

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effective date.

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