

By Senator Cowin

11-1206-02

1 A bill to be entitled
2 An act relating to the County Article V Trust
3 Fund; amending s. 318.21, Florida Statutes;
4 increasing the amount of certain civil
5 penalties to be paid into the trust fund;
6 decreasing the amount of such penalties to be
7 paid into the General Revenue Fund;
8 transferring moneys from the General Revenue
9 Fund to the County Article V Trust Fund in
10 fiscal year 2001-2002; amending s. 25.402,
11 F.S.; revising a cross-reference; providing for
12 appropriation of funds for the operation of
13 trial courts; providing an effective date.

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

16
17 Section 1. Subsection (2) of section 318.21, Florida
18 Statutes, as amended by chapters 97-235, 98-280, 98-403,
19 2000-139, 2000-152, 2000-171, 2001-122, and 2001-254, Laws of
20 Florida, is amended to read:

21 318.21 Disposition of civil penalties by county
22 courts.--All civil penalties received by a county court
23 pursuant to the provisions of this chapter shall be
24 distributed and paid monthly as follows:

25 (Substantial rewording of subsection. See
26 s. 318.21(2), F.S., for present text.)

27 (2) Of the remainder:

28 (a) Twenty and six-tenths percent shall be paid to the
29 County Article V Trust Fund, except that the first \$300,000
30 shall be deposited into the Grants and Donations Trust Fund in
31 the state courts system for administrative costs, training

1 costs, and costs associated with the implementation and
2 maintenance of Florida foster care citizen review panels as
3 provided for in s. 39.702.

4 (b) Seven and two-tenths percent shall be deposited in
5 the Emergency Medical Services Trust Fund for the purposes set
6 forth in s. 401.113.

7 (c) Five and one-tenth percent shall be deposited in
8 the Additional Court Cost Clearing Trust Fund established
9 pursuant to s. 938.01 for criminal justice purposes.

10 (d) Eight and two-tenths percent shall be deposited in
11 the Brain and Spinal Cord Injury Rehabilitation Trust Fund for
12 the purposes set forth in s. 381.79.

13 (e) Two percent shall be deposited in the endowment
14 fund of the Florida Endowment Foundation for Vocational
15 Rehabilitation established by s. 413.615.

16 (f) Five-tenths percent shall be paid to the clerk of
17 the court for administrative costs.

18 (g)1. If the violation occurred within a municipality
19 or a special improvement district of the Seminole Indian Tribe
20 or Miccosukee Indian Tribe, 56.4 percent shall be paid to that
21 municipality or special improvement district.

22 2. If the violation occurred within the unincorporated
23 area of a county that is not within a special improvement
24 district of the Seminole Indian Tribe or Miccosukee Indian
25 Tribe, 56.4 percent shall be paid to that county.

26 Section 2. An amount equal to the amount of civil
27 penalties paid into the General Revenue Fund pursuant to
28 section 318.21(2), Florida Statutes, for the period beginning
29 July 1, 2001, and ending on the day before the effective date
30 of this act is transferred to the County Article V Trust Fund.

31

1 Section 3. Paragraph (d) of subsection (1) of section
2 25.402, Florida Statutes, is amended, and subsection (2) of
3 that section is reenacted, to read:

4 25.402 County Article V Trust Fund.--

5 (1)

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

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

