



HB 1137

2003

1 A bill to be entitled

2 An act relating to court costs; creating s. 938.20, F.S.;

3 providing funding for drug court programs through the

4 assessment of an additional mandatory court cost;

5 providing for the assessment to be imposed by ordinance

6 against persons convicted of a criminal violation, a

7 violation of a municipal or county ordinance, or a traffic

8 violation resulting in payment of a fine or penalty;

9 providing an effective date.

10

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

12

13 Section 1. Section 938.20, Florida Statutes, is created to

14 read:

15 938.20 Court costs for drug court programs.--

16 (1) Notwithstanding s. 318.121, in each county in which a

17 drug court program has been established under s. 397.334, a

18 county may require by ordinance the assessment of a mandatory

19 cost in the sum of \$6 which shall be assessed as a court cost by

20 both the circuit court and the county court in the county

21 against every person who pleads guilty or nolo contendere to, or

22 is convicted of, regardless of adjudication, a violation of a

23 state criminal statute, a municipal ordinance, a county

24 ordinance, or any violation of chapter 316 which results in a

25 payment of a fine or civil penalty. Any person whose

26 adjudication is withheld pursuant to s. 318.14(9) or (10) must

27 be assessed such cost. The \$6 assessment for court costs shall

28 be assessed in addition to any fine, civil penalty, or other

29 court cost and may not be deducted from the proceeds of that

30 portion of any fine or civil penalty which is received by a



HB 1137

2003

31 municipality in the county or by the county in accordance with
32 ss. 316.660 and 318.21. The \$6 assessment shall specifically be
33 added to any civil penalty paid for a violation of chapter 316,
34 whether such penalty is paid by mail, paid in person without
35 request for a hearing, or paid after a hearing and determination
36 by the court. However, the \$6 assessment must not be made
37 against a person for a violation of any state statute, county
38 ordinance, or municipal ordinance relating to the parking of
39 vehicles, with the exception of a violation of the handicapped
40 parking laws. The clerk of the circuit court shall collect the
41 respective \$6 assessment for court costs established in this
42 subsection and shall remit the assessment to the drug court
43 monthly, less 8 percent which is to be retained as fee income
44 for the office of the clerk of the circuit court.

45 (2) Assessments collected by the clerk of the circuit
46 court pursuant to this section shall be deposited into an
47 account specifically for the operation and administration of the
48 drug court programs within such county, together with other
49 moneys as become available for establishing, operating, and
50 administering drug court programs under state law.

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