

By Senator Lynn

7-950-03

1 A bill to be entitled
2 An act relating to court costs; creating s.
3 938.20, F.S.; providing funding for drug court
4 programs through the assessment of an
5 additional mandatory court cost; providing for
6 the assessment to be imposed by ordinance
7 against persons convicted of a criminal
8 violation, a violation of a municipal or county
9 ordinance, or traffic violation resulting in
10 payment of a fine or penalty; providing an
11 effective date.

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

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15 Section 1. Section 938.20, Florida Statutes, is
16 created to read:

17 938.20 Court costs for drug court programs.--
18 (1) Notwithstanding s. 318.121, in each county in
19 which a drug court program has been established under s.
20 397.334, a county may require by ordinance the assessment of a
21 mandatory cost in the sum of \$6 which shall be assessed as a
22 court cost by both the circuit court and the county court in
23 the county against every person who pleads guilty or nolo
24 contendere to, or is convicted of, regardless of adjudication,
25 a violation of a state criminal statute, a municipal
26 ordinance, county ordinance, or any violation of chapter 316
27 which results in a payment of a fine or civil penalty. Any
28 person whose adjudication is withheld pursuant to s. 318.14(9)
29 or (10) must be assessed such cost. The \$6 assessment for
30 court costs shall be assessed in addition to any fine, civil
31 penalty, or other court costs and may not be deducted from the

1 proceeds of that portion of any fine or civil penalty which is
2 received by a municipality in the county or by the county in
3 accordance with ss. 316.660 and 318.21. The \$6 assessment
4 shall specifically be added to any civil penalty paid for a
5 violation of chapter 316, whether such penalty is paid by
6 mail, paid in person without request for a hearing, or paid
7 after a hearing and determination by the court. However, the
8 \$6 assessment must not be made against a person for a
9 violation of any state statute, county ordinance, or municipal
10 ordinance relating to the parking of vehicles, with the
11 exception of a violation of the handicapped parking laws. The
12 clerk of the circuit court shall collect the respective \$6
13 assessment for court costs established in this subsection and
14 shall remit the assessment to the drug court monthly, less 8
15 percent, which is to be retained as fee income for the office
16 of the clerk of the circuit court.

17 (2) Assessments collected by the clerk of the circuit
18 court pursuant to this section shall be deposited into an
19 account specifically for the operation and administration of
20 the drug court programs within such county, together with
21 other moneys as become available for establishing, operating,
22 and administering drug court programs under state law.

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

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27 SENATE SUMMARY

28 Provides funding for drug court programs by assessing an
29 additional court cost on any person who pleads guilty or
30 nolo contendere to, or is convicted of, regardless of
31 adjudication, a violation of a criminal state statute or
a municipal or county ordinance or any person who pays a
fine or civil penalty for any violation of state law
relating to state uniform traffic control. Provides
exceptions.