

Bill No. CS for CS for SB 1492

Amendment No. \_\_\_\_ Barcode 520786

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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2	10/AD/2R	.	
	04/25/2003 02:06 PM	.	
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11	Senator Smith moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	On page 58, between lines 25 and 26,		
15			
16	insert:		
17	Section 42. Effective July 1, 2004, section 938.05,		
18	Florida Statutes, is amended to read:		
19	938.05 Local Government Criminal Justice Trust Fund.--		
20	(1) When any person pleads nolo contendere to a		
21	misdemeanor or criminal traffic offense under s. 318.14(10)(a)		
22	or pleads guilty or nolo contendere to, or is found guilty of,		
23	any felony, misdemeanor, or criminal traffic offense under the		
24	laws of this state or the violation of any municipal or county		
25	ordinance which adopts by reference any misdemeanor under		
26	state law, there shall be imposed as a cost in the case, in		
27	addition to any other cost required to be imposed by law, a		
28	sum in accordance with the following schedule:		
29	(a)	Felonies.....	\$200
30	(b)	Misdemeanors.....	\$50
31	(c)	Criminal traffic offenses.....	\$50

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1           (2) Payment of the additional court costs provided for  
2 in subsection (1) shall be made part of any plea agreement  
3 reached by the prosecuting attorney and defense counsel or the  
4 criminal defendant where the plea agreement provides for the  
5 defendant to plead guilty or nolo contendere to any felony,  
6 misdemeanor, or criminal traffic offense under the laws of  
7 this state or any municipal or county ordinance which adopts  
8 by reference any misdemeanor under state law.

9           (3) The clerk of the court shall collect such  
10 additional costs for deposit in the fine and forfeiture fund  
11 established pursuant to s. 142.01 and shall notify the agency  
12 supervising a person upon whom costs have been imposed upon  
13 full payment of fees. ~~The clerk shall deposit all but \$3 for~~  
14 ~~each misdemeanor or criminal traffic case and all but \$5 for~~  
15 ~~each felony case in a special trust fund of the county. Such~~  
16 ~~funds shall be used exclusively for those purposes set forth~~  
17 ~~in s. 27.3455(3). The clerk shall retain \$3 for each~~  
18 ~~misdemeanor or criminal traffic case and \$5 for each felony~~  
19 ~~case of each scheduled amount collected as a service charge of~~  
20 ~~the clerk's office. A political subdivision shall not be held~~  
21 ~~liable for the payment of the additional costs imposed by this~~  
22 ~~section.~~

23  
24 (Redesignate subsequent sections.)

25  
26  
27 ===== T I T L E   A M E N D M E N T =====

28 And the title is amended as follows:

29           On page 7, line 24, delete that line

30  
31 and insert:

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1 Fund; amending s. 938.05, F.S.; directing court costs to be  
2 deposited in the clerk of the courts fine and forfeiture fund  
3 instead of the county trust fund; amending s. 938.07, F.S.;  
4 increasing the

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