

Bill No. CS for CS for SB 1492

Amendment No. Barcode 905364

CHAMBER ACTION

Senate

House

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Senator Smith moved the following amendment:

Senate Amendment (with title amendment)

On page 9, between lines 28 and 29,

insert:

Section 2. Effective July 1, 2004, Section 27.3455 is amended to read:

27.3455 Annual statement of certain revenues and expenditures.--

(1) Each county shall submit annually to the Chief Financial Officer ~~Comptroller~~ a statement of revenues and expenditures as set forth in this section in the form and manner prescribed by the Chief Financial Officer ~~Comptroller~~ in consultation with the Legislative Committee on Intergovernmental Relations, provided that such statement identify total county expenditures on:

- (a) ~~Medical examiner services.~~
- (b) ~~County victim witness programs.~~
- (c) each ~~Each~~ of the services outlined in s. 29.008.

~~ss. 27.34(2) and 27.54(3).~~

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1 ~~(d) Appellate filing fees in criminal cases in which~~
2 ~~an indigent defendant appeals a judgment of a county or~~
3 ~~circuit court to a district court of appeal or the Florida~~
4 ~~Supreme Court.~~

5 ~~(e) Other court-related costs of the state attorney~~
6 ~~and public defender that were paid by the county where such~~
7 ~~costs were included in a judgment or order rendered by the~~
8 ~~trial court against the county.~~

9
10 ~~Such statement also shall identify the revenues provided by s.~~
11 ~~938.05(1) that were used to meet or reimburse the county for~~
12 ~~such expenditures.~~

13 (2)(a) Within 6 months of the close of the local
14 government fiscal year, each county shall submit to the Chief
15 Financial Officer ~~Comptroller~~ a statement of compliance from
16 its independent certified public accountant, engaged pursuant
17 to s. 218.39, that the certified statement of expenditures was
18 in accordance with s. 29.008 ~~ss. 27.34(2), 27.54(3)~~, and this
19 section. All discrepancies noted by the independent certified
20 public accountant shall be included in the statement furnished
21 by the county to the Chief Financial Officer ~~Comptroller~~.

22 (b) Should the Comptroller determine that additional
23 auditing procedures are appropriate because:

24 1. The county failed to submit timely its annual
25 statement;

26 2. Discrepancies were noted by the independent
27 certified public accountant; or

28 3. The county failed to file before March 31 of each
29 year the certified public accountant statement of compliance,
30 the Comptroller is hereby authorized to send his or her

31 personnel or to contract for services to bring the county into

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1 compliance. The costs incurred by the Comptroller shall be
2 paid promptly by the county upon certification by the
3 Comptroller.

4 (c) Where the Comptroller elects to utilize the
5 services of an independent contractor, such certification by
6 the Comptroller may require the county to make direct payment
7 to a contractor. Any funds owed by a county in such matters
8 shall be recovered pursuant to s. 17.04 or s. 17.041.

9 ~~(3) The priority for the allocation of funds collected~~
10 ~~pursuant to s. 938.05(1) shall be as follows:~~

11 ~~(a) Reimbursement to the county for actual county~~
12 ~~expenditures incurred in providing the state attorney and~~
13 ~~public defender the services outlined in ss. 27.34(2) and~~
14 ~~27.54(3), with the exception of office space, utilities, and~~
15 ~~custodial services.~~

16 ~~(b) At the close of the local government fiscal year,~~
17 ~~funds remaining on deposit in the special trust fund of the~~
18 ~~county after reimbursements have been made pursuant to~~
19 ~~paragraph (a) shall be reimbursed to the county for actual~~
20 ~~county expenditures made in support of the operations and~~
21 ~~services of medical examiners, including the costs associated~~
22 ~~with the investigation of state prison inmate deaths. Special~~
23 ~~county trust fund revenues used to reimburse the county for~~
24 ~~medical examiner expenditures in any year shall not exceed \$1~~
25 ~~per county resident.~~

26 ~~(c) At the close of the local government fiscal year,~~
27 ~~counties establishing or having in existence a comprehensive~~
28 ~~victim-witness program which meets the standards set by the~~
29 ~~Crime Victims' Services Office shall be eligible to receive 50~~
30 ~~percent matching moneys from the balance remaining in the~~
31 ~~special trust fund after reimbursements have been made~~

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1 ~~pursuant to paragraphs (a) and (b). Special trust fund moneys~~
2 ~~used in any year to supplement such programs shall not exceed~~
3 ~~25 cents per county resident.~~

4 ~~(d) At the close of the local government fiscal year,~~
5 ~~funds remaining in the special trust fund after reimbursements~~
6 ~~have been made pursuant to paragraphs (a), (b), and (c) shall~~
7 ~~be used to reimburse the county for county costs incurred in~~
8 ~~the provision of office space, utilities, and custodial~~
9 ~~services to the state attorney and public defender, for county~~
10 ~~expenditures on appellate filing fees in criminal cases in~~
11 ~~which an indigent defendant appeals a judgment of a county or~~
12 ~~circuit court to a district court of appeal or the Florida~~
13 ~~Supreme Court, and for county expenditures on court-related~~
14 ~~costs of the state attorney and public defender that were paid~~
15 ~~by the county, provided that such court-related costs were~~
16 ~~included in a judgment or order rendered by the trial court~~
17 ~~against the county. Where a state attorney or a public~~
18 ~~defender is provided space in a county-owned facility,~~
19 ~~responsibility for calculating county costs associated with~~
20 ~~the provision of such office space, utilities, and custodial~~
21 ~~services is hereby vested in the Comptroller in consultation~~
22 ~~with the Legislative Committee on Intergovernmental Relations.~~

23 ~~(4) At the end of the local government fiscal year,~~
24 ~~all funds remaining on deposit in the special trust fund after~~
25 ~~all reimbursements have been made as provided for in~~
26 ~~subsection (3) shall be forwarded to the Treasurer for deposit~~
27 ~~in the General Revenue Fund of the state.~~

28 ~~(3)(5) The Chief Financial Officer Comptroller shall~~
29 ~~adopt any rules necessary to implement his or her~~
30 ~~responsibilities pursuant to this section.~~

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1 (Redesignate subsequent sections.)

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

5 And the title is amended as follows:

6 On page 1, between lines 4 and 5,

7

8 insert:

9 27.3455, F.S.; modifying county revenue and
10 expenditure reporting requirements; eliminating
11 the allocation priorities of funds collected
12 pursuant to s. 938.05(1), F.S.; amending s.

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