

By Senator Aronberg

27-1334-03

See HB

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A bill to be entitled
An act relating to juvenile drug courts;
amending s. 938.19, F.S.; providing for the
creation of county juvenile drug courts;
providing for assessments for court costs by
circuit and county courts to be used for the
operation, administration, and programming of
teen and juvenile drug courts and providing for
distribution of such assessments; providing an
effective date.

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

Section 1. Section 938.19, Florida Statutes, is
amended to read:

938.19 Teen courts; juvenile drug courts; operation,
~~and~~ administration, and programming.--A teen court or a
juvenile drug court, or both, may be created at the discretion
of the county. Teen courts and juvenile drug courts created
pursuant to this section are court diversion programs for the
purpose of ss. 943.0582 and 985.21.Notwithstanding s.
318.121, in each county in which a teen court or a juvenile
drug court has been created, a county may adopt a mandatory
cost to be assessed in specific cases as provided for in
subsection(1) by incorporating by reference the provisions of
this section in a county ordinance. Assessments collected by
the clerk of the circuit court pursuant to this section shall
be deposited into an account specifically for the operation,
~~and~~ administration, and programming of the teen court or
juvenile drug court:

1 (1) A sum of \$3, which shall be assessed as a court
2 cost by both the circuit court and the county court in the
3 county against every person who pleads guilty or nolo
4 contendere to, or is convicted of, regardless of adjudication,
5 a violation of a state criminal statute or a municipal
6 ordinance or county ordinance or who pays a fine or civil
7 penalty for any violation of chapter 316. Any person whose
8 adjudication is withheld pursuant to the provisions of s.
9 318.14(9) or (10) shall also be assessed such cost. The \$3
10 assessment for court costs shall be assessed in addition to
11 any fine, civil penalty, or other court cost and shall not be
12 deducted from the proceeds of that portion of any fine or
13 civil penalty which is received by a municipality in the
14 county or by the county in accordance with ss. 316.660 and
15 318.21. The \$3 assessment shall specifically be added to any
16 civil penalty paid for a violation of chapter 316, whether
17 such penalty is paid by mail, paid in person without request
18 for a hearing, or paid after hearing and determination by the
19 court. However, the \$3 assessment shall not be made against a
20 person for a violation of any state statutes, county
21 ordinance, or municipal ordinance relating to the parking of
22 vehicles, with the exception of a violation of the handicapped
23 parking laws. The clerk of the circuit court shall collect the
24 respective \$3 assessments for court costs established in this
25 subsection and shall remit the same to the teen court or
26 juvenile drug court monthly, less 5 percent, which is to be
27 retained as fee income of the office of the clerk of the
28 circuit court. If the county operates both a teen court and a
29 juvenile drug court, the chief judge of the circuit shall
30 specify to the clerk of the circuit court the amount to be
31 remitted to each program.

1 (2) Such other moneys as become available for
2 establishing and operating teen courts or juvenile drug courts
3 under the provisions of Florida law.
4 Section 2. This act shall take effect October 1, 2003.
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