

By Senator Margolis

35-1619-03

See HB 1651

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A bill to be entitled
An act relating to mandatory court costs for
county delinquency prevention; amending s.
938.17, F.S.; revising language with respect to
mandatory court costs for county delinquency
prevention; increasing court cost assessments
for county delinquency prevention; providing an
effective date.

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

Section 1. Subsection (2) of section 938.17, Florida
Statutes, is amended to read:

938.17 County delinquency prevention.--

(2) In counties in which the sheriff's office is a
partner in a juvenile assessment center pursuant to s.
985.209, or a partner in a suspension program developed in
conjunction with the district school board in the county of
the sheriff's jurisdiction, the circuit and county court shall
assess court costs of \$5 per case, in addition to any other
authorized cost or fine, on every person who, with respect to
a charge, indictment, prosecution commenced, or petition of
delinquency filed in that county or circuit, pleads guilty or
nolo contendere to, or is convicted of, regardless of
adjudication, a violation of a state criminal statute or a
municipal or county ordinance or who pays a fine or civil
penalty for any violation of chapter 316 and those in
violation of handicapped parking laws. Any person whose
adjudication is withheld pursuant to the provisions of s.
318.14(9) or (10) shall also be assessed such cost. The \$5
assessment for court cases shall be assessed in addition to

1 any fine, civil penalty, or other court cost and shall not be
2 deducted from the proceeds of that portion of any fine or
3 civil penalty which is received by a municipality in the
4 county or by the county in accordance with ss. 316.660 and
5 318.21. The \$5 assessment shall specifically be added to any
6 civil penalty paid for a violation of chapter 316, whether
7 such penalty is paid by mail, paid in person without request
8 for a hearing, or paid after a hearing and determination by
9 the court shall assess court costs of \$3 per case, in addition
10 to any other authorized cost or fine, on every person who,
11 with respect to a charge, indictment, prosecution commenced,
12 or petition of delinquency filed in that county or circuit,
13 pleads guilty, nolo contendere to, or is convicted of, or
14 adjudicated delinquent for, or has an adjudication withheld
15 for, a felony or misdemeanor, or a criminal traffic offense or
16 handicapped parking violation under state law, or a violation
17 of any municipal or county ordinance, if the violation
18 constitutes a misdemeanor under state law.

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

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