

HB 1881

2004

A bill to be entitled

An act relating to trust funds; terminating specified trust funds within the Justice Administrative Commission, the Department of Corrections, the Department of Legal Affairs, and the State Courts System; providing for disposition of balances in and revenues of the trust funds; prescribing procedures for the termination of trust funds; amending ss. 27.702, 28.101, 741.01, and 948.09, F.S., to conform; repealing s. 25.388, F.S., relating to the Family Courts Trust Fund, to conform; providing an effective date.

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

Section 1. (1) The following trust funds within the Justice Administrative Commission are terminated:

(a) The Capital Collateral Trust Fund, FLAIR number 21-2-072.

(b) The Consumer Frauds Trust Fund, FLAIR number 21-2-127. The current balance remaining in, and all revenues of, this trust fund shall be transferred to the Justice Administrative Commission Grants and Donations Trust Fund, FLAIR number 21-2-339.

(2) The Operating Trust Fund within the Department of Corrections, FLAIR number 70-2-510, is terminated.

(3) The Florida Motor Vehicle Theft Prevention Trust Fund within the Department of Legal Affairs, FLAIR number 41-2-051, is terminated.

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29 (4) The Family Courts Trust Fund within the State Courts
 30 System, FLAIR number 22-2-973, is terminated.

31 (5) Except as otherwise provided herein, all current
 32 balances remaining in, and all revenues of, the trust funds
 33 terminated by this act shall be transferred to the General
 34 Revenue Fund.

35 (6) For each trust fund terminated by this act, the agency
 36 that administers the trust fund shall pay any outstanding debts
 37 and obligations of the terminated fund as soon as practicable,
 38 and the Chief Financial Officer shall close out and remove the
 39 terminated fund from the various state accounting systems using
 40 generally accepted accounting principles concerning warrants
 41 outstanding, assets, and liabilities.

42 Section 2. Paragraph (a) of subsection (3) of section
 43 27.702, Florida Statutes, is amended to read:

44 27.702 Duties of the capital collateral regional counsel;
 45 reports.--

46 (3)(a) The capital collateral regional counsel shall file
 47 motions seeking compensation for representation and
 48 reimbursement for expenses pursuant to 18 U.S.C. s. 3006A when
 49 providing representation to indigent persons in the federal
 50 courts, and shall deposit all such payments received into the
 51 General Revenue ~~Capital Collateral Trust Fund established for~~
 52 ~~such purpose.~~

53 Section 3. Paragraph (d) of subsection (1) of section
 54 28.101, Florida Statutes, is amended to read:

55 28.101 Petitions and records of dissolution of marriage;
 56 additional charges.--

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57 (1) When a party petitions for a dissolution of marriage,
 58 in addition to the filing charges in s. 28.241, the clerk shall
 59 collect and receive:

60 (d) A charge of \$32.50. On a monthly basis, the clerk
 61 shall transfer the moneys collected pursuant to this paragraph
 62 as follows:

63 1. An amount of \$7.50 to the Department of Revenue for
 64 deposit in the Displaced Homemaker Trust Fund.

65 2. An amount of \$25 to the Department of Revenue for
 66 deposit in the General Revenue ~~Family Courts Trust~~ Fund.

67 Section 4. Subsections (4) and (5) of section 741.01,
 68 Florida Statutes, are amended to read:

69 741.01 County court judge or clerk of the circuit court to
 70 issue marriage license; fee.--

71 (4) An additional fee of \$25 shall be paid to the clerk
 72 upon receipt of the application for issuance of a marriage
 73 license. The moneys collected shall be remitted by the clerk to
 74 the Department of Revenue, monthly, for deposit in the General
 75 Revenue ~~Family Courts Trust~~ Fund.

76 (5) The fee charged for each marriage license issued in
 77 the state shall be reduced by a sum of \$32.50 for all couples
 78 who present valid certificates of completion of a premarital
 79 preparation course from a qualified course provider registered
 80 under s. 741.0305(5) for a course taken no more than 1 year
 81 prior to the date of application for a marriage license. For
 82 each license issued that is subject to the fee reduction of this
 83 subsection, the clerk is not required to transfer the sum of
 84 \$7.50 to the Department of Revenue for deposit in the Displaced
 85 Homemaker Trust Fund pursuant to subsection (3) or to transfer

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86 the sum of \$25 to the Department of Revenue for deposit in the
 87 General Revenue ~~Family Courts Trust~~ Fund.

88 Section 5. Subsection (2) of section 948.09, Florida
 89 Statutes, is amended to read:

90 948.09 Payment for cost of supervision and
 91 rehabilitation.--

92 (2) Any person being electronically monitored by the
 93 department as a result of placement on community control shall
 94 be required to pay as a surcharge an amount that may not exceed
 95 the full cost of the monitoring service in addition to the cost
 96 of supervision fee as directed by the sentencing court. The
 97 surcharge shall be deposited in the General Revenue ~~Operating~~
 98 ~~Trust Fund to be used by the department for purchasing and~~
 99 ~~maintaining electronic monitoring devices.~~

100 Section 6. Section 25.388, Florida Statutes, is repealed.

101 Section 7. This act shall take effect July 1, 2004.