



1 Department of Revenue is unable to locate a  
2 victim; providing an effective date.

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

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6 Section 1. Subsection (11) of section 775.089, Florida  
7 Statutes, is amended to read:

8 775.089 Restitution.--

9 (11)(a) The court may order the clerk of the court to  
10 collect and dispense restitution payments in any case.

11 (b) The Department of Revenue shall ~~court may order~~  
12 ~~the Department of Corrections to~~ collect and dispense  
13 restitution and other payments ordered by the court from  
14 persons remanded to the its custody or supervision of the  
15 Department of Corrections.

16 Section 2. The Department of Corrections shall  
17 transfer its responsibility for collecting and disbursing  
18 restitution and other payments from offenders, as provided  
19 under section 775.089(11)(b), Florida Statutes, to the  
20 Department of Revenue by December 31, 2006.

21 (1) To assist in this transfer, the Department of  
22 Revenue shall work with the staff of the Department of  
23 Corrections to conduct, by September 30, 2005, a needs  
24 assessment and cost-benefit analysis of the restitution and  
25 court-ordered payment system. If available, the State  
26 Technology Office shall provide assistance in conducting the  
27 needs assessment.

28 (2) Based on the results of the needs assessment and  
29 cost-benefit analysis, the Department of Revenue may, through  
30 competitive bidding, procure services from a private vendor to  
31 perform the functions necessary to collect and disburse

1 restitution and other payments from offenders. The new system  
2 for collecting and disbursing restitution and other payments  
3 shall be operational by December 31, 2006.

4 (3) The Department of Revenue shall include  
5 performance standards in its contract with the private vendor.  
6 Such standards may include the vendor's effectiveness in  
7 customer service; the efficiency of the vendor in disbursing  
8 collections; and the timeliness of the vendor in depositing  
9 payments, disbursing payments, and correcting errors.

10 Section 3. Subsection (7) of section 948.09, Florida  
11 Statutes, is amended to read:

12 948.09 Payment for cost of supervision and  
13 rehabilitation.--

14 (7)(a) The department shall establish a payment plan  
15 for all costs ordered by the courts for collection by the  
16 Department of Revenue and a priority order for payments,  
17 except that victim restitution payments authorized under s.  
18 948.03(1)(e) ~~s. 948.03(5)~~ take precedence over all other  
19 court-ordered payments. The Department of Revenue is not  
20 required to disburse cumulative amounts of less than \$10 to  
21 individual payees established on this payment plan.

22 (b) The Department of Corrections shall establish a  
23 payment schedule for each offender and provide this payment  
24 information to the Department of Revenue. The Department of  
25 Revenue shall disburse payments made by an offender first to  
26 the victim of the offense, then to other payees in the order  
27 of priority established by the court or the Department of  
28 Corrections. The Department of Revenue shall provide to the  
29 Department of Corrections an automated monthly statement of  
30 the amount collected from each offender and the amount  
31 disbursed.

