

1 A bill to be entitled

2 An act relating to teen courts; amending s. 938.17, F.S.;
3 authorizing a board of county commissioners to adopt an
4 ordinance that incorporates the provisions of the act;
5 providing funding for a teen court through the assessment
6 of an additional court cost against each person who pleads
7 guilty or nolo contendere to, or is convicted of, a
8 violation of a criminal law, an ordinance, or a traffic
9 offense in the county; providing exceptions; providing for
10 administration by the clerk of the circuit court;
11 authorizing the clerk of the circuit court to retain a
12 specified percentage of the assessments collected;
13 requiring the teen court to account for all funds
14 deposited into the teen court account; requiring a report
15 to the board of county commissioners by a specified date;
16 providing for administration of a teen court; providing an
17 effective date.

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

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21 Section 1. Section 938.17, Florida Statutes, is amended to
22 read:

23 938.17 County delinquency prevention; juvenile assessment
24 centers and school board suspension programs; teen courts.--

25 (1)(a) Prior to the use of costs received pursuant to s.
26 939.185, the sheriff's office of the county must be a partner in
27 a written agreement with the Department of Juvenile Justice to
28 participate in a juvenile assessment center or with the district

29 school board to participate in a suspension program.

30 ~~(b)(2)~~ Assessments collected by clerks of the circuit
 31 courts comprised of more than one county shall remit the funds
 32 collected pursuant to s. 939.185 to the county in which the
 33 offense at issue was committed for deposit and disbursement.

34 ~~(c)(3)~~ Any other funds the sheriff's office obtains for
 35 the implementation or operation of an assessment center or
 36 suspension program may be deposited into the designated account
 37 for disbursement to the sheriff as needed.

38 ~~(d)(4)~~ A sheriff's office that receives proceeds pursuant
 39 to s. 939.185 shall account for all funds annually by August 1
 40 in a written report to the juvenile justice county council if
 41 funds are used for assessment centers, and to the district
 42 school board if funds are used for suspension programs.

43 (2)(a) Notwithstanding s. 318.121, in each county in which
 44 a teen court has been created, the board of county commissioners
 45 may adopt a mandatory cost to be assessed in specific cases by
 46 incorporating by reference the provisions of this subsection in
 47 a county ordinance. Assessments collected by the clerk of the
 48 circuit court under this subsection shall be deposited into an
 49 account specifically for the operation and administration of the
 50 teen court.

51 (b) A sum of \$3 shall be assessed as a court cost in the
 52 circuit and county court in the county against each person who
 53 pleads guilty or nolo contendere to, or is convicted of,
 54 regardless of adjudication, a violation of a criminal law or a
 55 municipal ordinance or a county ordinance or who pays a fine or
 56 civil penalty for any violation of chapter 316. Any person whose

57 adjudication is withheld under s. 318.14(9) or (10) shall also
58 be assessed the cost.

59 (c) The \$3 assessment shall be assessed in addition to any
60 fine, civil penalty, or other court cost and may not be deducted
61 from the proceeds of that portion of any fine or civil penalty
62 that is received by a municipality in the county or by the
63 county in accordance with ss. 316.660 and 318.21. The \$3
64 assessment shall be specifically added to any civil penalty paid
65 for a violation of chapter 316, regardless of whether the
66 penalty is paid by mail, paid in person without request for a
67 hearing, or paid after hearing and determination by the court.
68 However, the \$3 assessment may not be made against a person for
69 a violation of any state law, county ordinance, or municipal
70 ordinance relating to the parking of vehicles, with the
71 exception of a violation of the handicapped parking laws.

72 (d)1. The clerk of the circuit court shall collect the \$3
73 assessments for court costs established in this subsection and
74 shall remit the assessments to the teen court monthly.

75 2. The clerk of the circuit court shall withhold 5 percent
76 of the assessments collected, which shall be retained as fee
77 income of the office of the clerk of the circuit court.

78 (e) A teen court that receives the cost assessments
79 established by the adopted county ordinance must account for all
80 funds that have been deposited into the designated account in a
81 written report to the board of county commissioners. The report
82 must be given to the commissioners by August 1 of each year or
83 by a date required by the commissioners.

84 (f) A teen court may be administered by a nonprofit

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85 organization, a law enforcement agency, the court administrator,
86 the clerk of the court, or another similar agency by agreement
87 with the board of county commissioners.

88 Section 2. This act shall take effect July 1, 2005.