## Florida Senate - 2005

By Senator Lynn

	7-1495-05 See HB 441
1	A bill to be entitled
2	An act relating to court costs for drug court
3	programs; creating s. 938.20, F.S.; authorizing
4	counties to provide by ordinance for funding of
5	drug court programs through the assessment of
6	an additional mandatory court cost; providing
7	for the assessment to be imposed against
8	persons convicted of certain violations of drug
9	abuse prevention and control provisions,
10	violations of a municipal or county ordinance,
11	or traffic violations involving alcohol or
12	other substance use or abuse and resulting in
13	payment of a fine or penalty; providing an
14	exception; providing for collection and deposit
15	of the assessment; providing for administration
16	of the funds; providing an effective date.
17	
18	Be It Enacted by the Legislature of the State of Florida:
19	
20	Section 1. Section 938.20, Florida Statutes, is
21	created to read:
22	938.20 Court costs for drug court programs
23	(1) Notwithstanding s. 318.121, each county in which a
24	drug court program has been established under s. 397.334 may
25	require by ordinance the assessment of a mandatory cost in the
26	sum of \$6 which shall be assessed by both the circuit court
27	and the county court in the county against every person who
28	pleads quilty or nolo contendere to, or is convicted of,
29	regardless of adjudication, a violation of chapter 893, a
30	municipal ordinance, a county ordinance, or any provision of
31	chapter 316 involving the use of alcohol or other substance

**CODING:** Words stricken are deletions; words <u>underlined</u> are additions.

2penalty. Any person whose adjudication is withheld pursuant to3s. 318.14(9) or (10) must be assessed such cost. The \$64assessment shall be in addition to any fine, civil penalty, or5other court cost and may not be deducted from the proceeds of6that portion of any fine or civil penalty which is received by7a municipality in the county or by the county in accordance8with ss. 316.660 and 318.21. The \$6 assessment shall9specifically be added to any civil penalty paid for a10violation of chapter 316, whether such penalty is paid by11mail, paid in person without request for a hearing, or paid12after a hearing and determination by the court. However, the13\$6 assessment may not be made against a person for a violation14of any state statute, county ordinance, or municipal ordinance15relating to the parking of vehicles, with the exception of a16violation of the handicapped parking laws.17(2)18\$6 assessment established pursuant to subsection (1) and shall19deposit the assessment monthly into an account specifically20designated for the operation and administration of the drug21court program within the county and which is under the22authority of the trial court administrator for the respective23circuit, less 8 percent, which shall be retained as fee income24for the office of the clerk of the circuit court, together25with other moneys that become available for establishing, <td< th=""><th>1</th><th>use or abuse which results in payment of a fine or civil</th></td<>	1	use or abuse which results in payment of a fine or civil
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**Florida Senate - 2005** 7-1495-05 **SB 1578** See HB 441

1	direction of the advisory committee appointed by the chief
2	judge in each circuit pursuant to ss. 948.08(7) and
3	<u>985.306(2).</u>
4	Section 2. This act shall take effect upon becoming a
5	law.
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