

By Senator Bennett

21-1309-05

1 A bill to be entitled

2 An act relating to teen courts; amending s.

3 938.19, F.S.; authorizing a board of county

4 commissioners to adopt an ordinance that

5 incorporates the provisions of the act;

6 providing funding for a teen court through the

7 assessment of an additional court cost against

8 each person who pleads guilty or nolo

9 contendere to, or is convicted of, a violation

10 of a criminal law, an ordinance, or a traffic

11 offense in the county; providing for

12 administration by the clerk of the circuit

13 court; authorizing the clerk of the court to

14 retain a specified percentage of the

15 assessments collected as income to the clerk of

16 the court; requiring the teen court to account

17 for all funds deposited into the teen court

18 account; requiring an annual report to the

19 board of county commissioners by a specified

20 date; authorizing specified organizations to

21 operate and administer a teen court program;

22 providing an effective date.

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

26 Section 1. Section 938.19, Florida Statutes, is
27 amended to read:

28 938.19 Teen courts.--

29 (1) Notwithstanding s. 318.121, in each county in
30 which a teen court has been created, the board of county
31 commissioners may adopt a mandatory cost to be assessed in

1 specific cases by incorporating by reference the provisions of
2 this section in a county ordinance. Assessments collected by
3 the clerk of the circuit court under this subsection shall be
4 deposited into an account specifically for the operation and
5 administration of the teen court.

6 (2) A sum of up to \$3 shall be assessed as a court
7 cost in the circuit and county court in the county against
8 each person who pleads guilty or nolo contendere to, or is
9 convicted of, regardless of adjudication, a violation of a
10 criminal law or a municipal ordinance or county ordinance or
11 who pays a fine or civil penalty for any violation of chapter
12 316. Any person whose adjudication is withheld under s.
13 318.14(9) or (10) shall also be assessed the cost.

14 (3) The assessment for court costs shall be assessed
15 in addition to any fine or civil penalty or other court cost
16 and may not be deducted from the proceeds of that portion of
17 any fine or civil penalty which is received by a municipality
18 in the county or by the county in accordance with ss. 316.660
19 and 318.21. The assessment shall be specifically added to any
20 civil penalty paid for a violation of chapter 316, regardless
21 of whether the penalty is paid by mail, paid in person without
22 request for a hearing, or paid after hearing and determination
23 by the court. However, the assessment may not be made against
24 a person for a violation of any state law, county ordinance,
25 or municipal ordinance relating to the parking of vehicles,
26 with the exception of a violation of the handicapped parking
27 laws.

28 (4)(a) The clerk of the circuit court shall collect
29 the assessments for court costs established in this section
30 and shall remit the assessments to the teen court monthly.
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1 (b) The clerk of the circuit court shall withhold 5
2 percent of the assessments collected, which shall be retained
3 as fee income of the office of the clerk of the circuit court.

4 (5) A teen court that receives the cost assessments
5 established by the adopted county ordinance must account for
6 all funds that have been deposited into the designated account
7 in a written report to the board of county commissioners. The
8 report must be given to the commissioners by August 1 of each
9 year or by a date required by the commissioners.

10 (6) A teen court may be administered by a nonprofit
11 organization, a law enforcement agency, the court
12 administrator, the clerk of the court, or another similar
13 agency authorized by the board of county commissioners.

14 ~~Counties are hereby authorized to fund teen courts.~~

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

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18 SENATE SUMMARY

19 Authorizes a board of county commissioners to adopt an
20 ordinance that provides for funding a teen court through
21 the assessment of an additional court cost of up to \$3
22 against every person who pleads guilty or nolo contendere
23 to, or is convicted of, a violation of a criminal law, an
24 ordinance, or a traffic offense in the county. Provides
25 for administering the collection of assessments by the
26 clerk of the circuit court. Authorizes the clerk of the
27 court to retain a specified percentage of the assessments
28 collected as income to the clerk of the court. Requires
29 the teen court to account for all funds deposited into
30 the teen court account. Orders the teen court to report
31 to the county commission by a specified date. Authorizes
certain specified organizations to operate and administer
a teen court program.