



1           938.19 Teen courts.--

2           (1) Notwithstanding s. 318.121, in each county in  
3 which a teen court has been created, the board of county  
4 commissioners may adopt a mandatory cost to be assessed in  
5 specific cases by incorporating by reference the provisions of  
6 this section in a county ordinance. Assessments collected by  
7 the clerk of the circuit court under this subsection shall be  
8 deposited into an account specifically for the operation and  
9 administration of the teen court.

10           (2) A sum of up to \$3 shall be assessed as a court  
11 cost in the circuit and county court in the county against  
12 each person who pleads guilty or nolo contendere to, or is  
13 convicted of, regardless of adjudication, a violation of a  
14 criminal law or a municipal ordinance or county ordinance or  
15 who pays a fine or civil penalty for any violation of chapter  
16 316. Any person whose adjudication is withheld under s.  
17 318.14(9) or (10) shall also be assessed the cost.

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

1           (4)(a) The clerk of the circuit court shall collect  
2 the assessments for court costs established in this section  
3 and shall remit the assessments to the teen court monthly.

4           (b) The clerk of the circuit court shall withhold 5  
5 percent of the assessments collected, which shall be retained  
6 as fee income of the office of the clerk of the circuit court.

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

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

17           (7) A teen court administered in a county that adopts  
18 an ordinance to assess court costs under this section may not  
19 receive court costs collected under s. 939.185. Counties are  
20 hereby authorized to fund teen courts.

21           Section 2. Paragraph (a) of subsection (1) of section  
22 939.185, Florida Statutes, is amended to read:

23           939.185 Assessment of additional court costs.--

24           (1)(a) The board of county commissioners may adopt by  
25 ordinance an additional court cost, not to exceed \$65, to be  
26 imposed by the court when a person pleads guilty or nolo  
27 contendere to, or is found guilty of, any felony, misdemeanor,  
28 or criminal traffic offense under the laws of this state. Such  
29 additional assessment shall be accounted for separately by the  
30 county in which the offense occurred and be used only in the  
31 county imposing this cost, to be allocated as follows:

1           1. Twenty-five percent of the amount collected shall  
2 be allocated to fund innovations to supplement state funding  
3 for the elements of the state courts system identified in s.  
4 29.004 and county funding for local requirements under s.  
5 29.008(2)(a)2.

6           2. Twenty-five percent of the amount collected shall  
7 be allocated to assist counties in providing legal aid  
8 programs required under s. 29.008(3)(a).

9           3. Twenty-five percent of the amount collected shall  
10 be allocated to fund personnel and legal materials for the  
11 public as part of a law library.

12           4. Twenty-five percent of the amount collected shall  
13 be used as determined by the board of county commissioners to  
14 support teen court programs, except as provided in s.  
15 938.19(7), juvenile assessment centers, and other juvenile  
16 alternative programs.

17  
18 Each county receiving funds under this section shall report  
19 the amount of funds collected pursuant to this section and an  
20 itemized list of expenditures for all authorized programs and  
21 activities. The report shall be submitted in a format  
22 developed by the Supreme Court to the Governor, the Chief  
23 Financial Officer, the President of the Senate, and the  
24 Speaker of the House of Representatives on a quarterly basis  
25 beginning with the quarter ending September 30, 2004.  
26 Quarterly reports shall be submitted no later than 30 days  
27 after the end of the quarter. Any unspent funds at the close  
28 of the county fiscal year allocated under subparagraphs 2.,  
29 3., and 4., shall be transferred for use pursuant to  
30 subparagraph 1.

31           Section 3. This act shall take effect July 1, 2005.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 1702

The committee substitute prohibits a teen court receiving funding under the existing authority to impose court costs in section 939.185, F.S., from receiving funding under the new authority established in section 938.19, F.S.