

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Simmons offered the following:

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3 **Substitute Amendment for Amendment (328663) (with title**  
4 **amendment)**

5 Between line(s) 2710 and 2711, insert:

6 Section 57. Paragraph (b) of subsection (1) of section  
7 939.185, Florida Statutes, is redesignated as paragraph (c), and  
8 a new paragraph (b) is added to said subsection, to read:

9 939.185 Assessment of additional court costs and  
10 surcharges.--

11 (1)

12 (b) In addition to the court costs imposed under  
13 subsection (1) and any other cost, fine, or penalty imposed by  
14 law, any unit of local government which is consolidated as  
15 provided by s. 9, Art. VIII of the State Constitution of 1885,

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HOUSE AMENDMENT

Bill No. HB 1935 CS

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16 as preserved by s. 6(e), Art. VIII of the State Constitution of  
17 1968, and which is granted the authority in the State  
18 Constitution to exercise all the powers of a municipal  
19 corporation, and any unit of local government operating under a  
20 home rule charter adopted pursuant to ss. 10, 11, and 24, Art.  
21 VIII of the State Constitution of 1885, as preserved by s. 6(e),  
22 Art. VIII of the State Constitution of 1968, which is granted  
23 the authority in the State Constitution to exercise all the  
24 powers conferred now or hereafter by general law upon  
25 municipalities, may impose by ordinance a surcharge in the  
26 amount of \$85 to be imposed by the court when a person pleads  
27 guilty or nolo contendere to, or is found guilty of, any felony,  
28 misdemeanor, or criminal traffic offense under the laws of this  
29 state. Revenue from the surcharge shall be transferred to such  
30 unit of local government for the purpose of replacing fine  
31 revenue deposited into the clerk's fine and forfeiture fund  
32 under s. 142.01. Proceeds from the imposition of the surcharge  
33 authorized in this paragraph shall not be used for the purpose  
34 of securing payment of the principal and interest on bonds. This  
35 paragraph, and any surcharge imposed pursuant to this paragraph,  
36 shall stand repealed on September 30, 2007.

37 (c)(b) The disbursement of costs collected under this  
38 section shall be subordinate in priority order of disbursement  
39 to all other state-imposed costs authorized in this chapter,  
40 restitution or other compensation to victims, and child support  
41 payments.  
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43 ===== T I T L E A M E N D M E N T =====

44 Remove line(s) 286 and insert:

45 Commission of costs or fees paid; amending s. 939.185,  
46 F.S.; authorizing certain local governments to impose by  
47 ordinance in addition to certain court costs and other  
48 costs, fines, and penalties imposed by law a surcharge to  
49 be imposed by court on persons pleading guilty or nolo  
50 contendere to certain criminal offenses; providing for  
51 transfer of revenues from such surcharge for certain  
52 purposes; providing for repeal; amending s. 985.05,