## Florida Senate - 2005

By Senator Constantine

22-290A-05

1	A bill to be entitled
2	An act relating to state uniform traffic
3	control; amending s. 318.18, F.S.; increasing
4	the fines imposed for failing to obey a
5	traffic-control device and for a moving
б	violation of a traffic control signal steady
7	red indication; amending ss. 142.01 and
8	318.121, F.S., relating to court costs;
9	conforming cross-references; amending s.
10	318.21, F.S.; providing for the disposition of
11	such fines; creating s. 395.4036, F.S.;
12	providing for the distribution of funds to
13	trauma centers; providing for audits and
14	attestations; providing an effective date.
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16	Be It Enacted by the Legislature of the State of Florida:
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18	Section 1. Present subsections (11) through (13) of
19	section 318.18, Florida Statutes, are redesignated as
20	subsections (12) through (14) respectively, and new
21	subsections (11) and (15) are added to that section to read:
22	318.18 Amount of civil penaltiesThe penalties
23	required for a noncriminal disposition pursuant to s. 318.14
24	are as follows:
25	(11) One hundred twenty-five dollars for a violation
26	<u>of s. 316.074(1).</u>
27	(15) One hundred twenty-five dollars for a violation
28	of s. 316.075(1)(c)1., of which \$60 shall be distributed as
29	provided in s. 318.21 and the remaining \$65 shall be remitted
30	to the Department of Revenue for deposit into the
31	Administrative Trust Fund of the Department of Health.

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1 Section 2. Section 142.01, Florida Statutes, is 2 amended to read: 3 142.01 Trauma center Fine and forfeiture fund; clerk of the circuit court.--There shall be established by the <del>clerk</del> 4 of the circuit court in each county of this state a separate 5 6 fund to be known as the trauma center fine and forfeiture fund 7 for use by hospital trauma centers the clerk of the circuit 8 court in treating motor vehicle crash victims performing court related functions. The fund shall consist of the 9 following: 10 (1) Fines and penalties pursuant to ss. 28.2402(2), 11 12 34.045(2), 316.193, 327.35, 327.72, 372.72(1), and 775.083(1). 13 (2) That portion of civil penalties directed to this fund pursuant to s. 318.21. 14 (3) Court costs pursuant to ss. 28.2402(1)(b), 15 34.045(1)(b), 318.14(10)(b), <u>318.18(12)(a)</u> <del>318.18(11)(a)</del>, 16 17 327.73(9)(a) and (11)(a), and 938.05(3). (4) Proceeds from forfeited bail bonds or 18 recognizances pursuant to ss. 321.05(4)(a), 372.72(1), and 19 903.26(3)(a). 20 21 (5) Fines and forfeitures pursuant to s. 34.191. 22 (6) All other revenues received by the clerk as 23 revenue authorized by law to be retained by the clerk. 2.4 Notwithstanding the provisions of this section, all fines and 25 26 forfeitures arising from operation of the provisions of s. 27 318.1215 shall be disbursed in accordance with that section. 2.8 Section 3. Section 318.121, Florida Statutes, is amended to read: 29 318.121 Preemption of additional fees, fines, 30 surcharges, and costs. -- Notwithstanding any general or special 31 2

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law, or municipal or county ordinance, additional fees, fines, surcharges, or costs other than the court costs assessed under s. 318.18(12) s. 318.18(11) may not be added to the civil traffic penalties assessed in this chapter. Section 4. Subsection (13) is added to section 318.21, Florida Statutes, to read: 318.21 Disposition of civil penalties by county courts. -- All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows: (13) Of the proceeds from the fine under s. 318.18(15), \$65 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund of the Department of Health and the remaining \$60 shall be distributed pursuant to subsections (1) and (2). Section 5. Section 395.4036, Florida Statutes, is created to read: 395.4036 Trauma payments.--(1) Recognizing the Legislature's stated intent to provide financial support to the current verified trauma centers and to provide incentives for the establishment of additional trauma centers as part of a system of state-sponsored trauma centers, the department shall utilize funds collected under s. 318.18(14) and deposited into the Administrative Trust Fund of the department to ensure the availability and accessibility of trauma services throughout the state as provided in this subsection.

28 (a) Twenty percent of the total funds collected under
29 this subsection shall be distributed to verified trauma
30 centers located in a region that has a local funding
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1 contribution as of December 31. Distribution of funds under 2 this paragraph shall be based on trauma caseload volume. (b) Forty percent of the total funds collected under 3 4 this subsection shall be distributed to verified trauma 5 centers based on trauma caseload volume of the previous 6 calendar year. The determination of caseload volume for 7 distribution of funds under this paragraph shall be based on 8 the department's Trauma Registry data. 9 (c) Forty percent of the total funds collected under 10 this subsection shall be distributed to verified trauma centers based on severity of trauma patients. The 11 12 determination of severity for distribution of funds under this 13 paragraph shall be based on the department's Injury Severity Scores, weighted based on scores of 1-14 and 15 plus. 14 (2)(a) Any trauma center not subject to audit pursuant 15 to s. 215.97 shall annually attest, under penalties of 16 17 perjury, that such proceeds were used in compliance with law. 18 The annual attestation shall be made in a form and format determined by the department. 19 (b) Any trauma center subject to audit pursuant to s. 20 21 215.97 shall submit an audit report in accordance with rules adopted by the Auditor General. The annual attestation shall 2.2 23 be submitted to the department for review within 9 months after the end of the organization's fiscal year. 2.4 (3) The department, working with the Agency for Health 25 Care Administration, shall maximize resources for trauma 26 27 services wherever possible. 2.8 Section 6. This act shall take effect July 1, 2005. 29 30 31

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SB 2516

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2	SENATE SUMMARY
3	Increases the fines for certain traffic-control device
4	the distribution of such funds.
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