

1 Section 2. Section 142.01, Florida Statutes, is
2 amended to read:

3 142.01 Trauma center ~~Fine and forfeiture~~ fund; clerk
4 of the circuit court.--There shall be established by the ~~clerk~~
5 ~~of the circuit~~ court in each county of this state a separate
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
9 ~~court related functions~~. The fund shall consist of the
10 following:

11 (1) Fines and penalties pursuant to ss. 28.2402(2),
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
14 fund pursuant to s. 318.21.

15 (3) Court costs pursuant to ss. 28.2402(1)(b),
16 34.045(1)(b), 318.14(10)(b), 318.18(12)(a) ~~318.18(11)(a)~~,
17 327.73(9)(a) and (11)(a), and 938.05(3).

18 (4) Proceeds from forfeited bail bonds or
19 recognizances pursuant to ss. 321.05(4)(a), 372.72(1), and
20 903.26(3)(a).

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.

24
25 Notwithstanding the provisions of this section, all fines and
26 forfeitures arising from operation of ~~the provisions of~~ s.
27 318.1215 shall be disbursed in accordance with that section.

28 Section 3. Section 318.121, Florida Statutes, is
29 amended to read:

30 318.121 Preemption of additional fees, fines,
31 surcharges, and costs.--Notwithstanding any general or special

1 law, or municipal or county ordinance, additional fees, fines,
2 surcharges, or costs other than the court costs assessed under
3 s. 318.18(12) ~~s. 318.18(11)~~ may not be added to the civil
4 traffic penalties assessed in this chapter.

5 Section 4. Subsection (13) is added to section 318.21,
6 Florida Statutes, to read:

7 318.21 Disposition of civil penalties by county
8 courts.--All civil penalties received by a county court
9 pursuant to the provisions of this chapter shall be
10 distributed and paid monthly as follows:

11 (13) Of the proceeds from the fine under s.
12 318.18(15), \$65 shall be remitted to the Department of Revenue
13 for deposit into the Administrative Trust Fund of the
14 Department of Health and the remaining \$60 shall be
15 distributed pursuant to subsections (1) and (2).

16 Section 5. Section 395.4036, Florida Statutes, is
17 created to read:

18 395.4036 Trauma payments.--

19 (1) Recognizing the Legislature's stated intent to
20 provide financial support to the current verified trauma
21 centers and to provide incentives for the establishment of
22 additional trauma centers as part of a system of
23 state-sponsored trauma centers, the department shall utilize
24 funds collected under s. 318.18(14) and deposited into the
25 Administrative Trust Fund of the department to ensure the
26 availability and accessibility of trauma services throughout
27 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.

3 (b) Forty percent of the total funds collected under
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
11 centers based on severity of trauma patients. The
12 determination of severity for distribution of funds under this
13 paragraph shall be based on the department's Injury Severity
14 Scores, weighted based on scores of 1-14 and 15 plus.

15 (2)(a) Any trauma center not subject to audit pursuant
16 to s. 215.97 shall annually attest, under penalties of
17 perjury, that such proceeds were used in compliance with law.
18 The annual attestation shall be made in a form and format
19 determined by the department.

20 (b) Any trauma center subject to audit pursuant to s.
21 215.97 shall submit an audit report in accordance with rules
22 adopted by the Auditor General. The annual attestation shall
23 be submitted to the department for review within 9 months
24 after the end of the organization's fiscal year.

25 (3) The department, working with the Agency for Health
26 Care Administration, shall maximize resources for trauma
27 services wherever possible.

28 Section 6. This act shall take effect July 1, 2005.
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SENATE SUMMARY

Increases the fines for certain traffic-control device violations. Provides for certain court costs to be used to fund trauma centers and establishes requirements for the distribution of such funds.