

Bill No. CS for CS for SB 2542

Barcode 772220

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Smith moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 39, line 20, through page 40, line 9, delete
15 those lines

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17 and insert:

18 Section 7. Paragraph (a) of subsection (1) and
19 subsection (2) of section 28.2402, Florida Statutes, are
20 amended to read:

21 28.2402 Cost recovery; use of the circuit court for
22 ordinance or special law violations.--

23 (1)(a) In lieu of payment of a filing fee under s.
24 28.241, a filing fee of \$10 shall be paid by a county or
25 municipality when filing a county or municipal ordinance
26 violation or violation of a special law in circuit court. This
27 fee shall be paid to the clerk of the court for performing
28 court-related functions. A county or municipality is not
29 required to pay more than one filing fee for a single filing
30 against a single defendant which contains multiple alleged
31 violations. A filing fee, other than that imposed under this

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1 section, may not be assessed for initiating an enforcement
 2 proceeding in circuit court for a violation of a county or
 3 municipal code or ordinance or a violation of a special law.
 4 The filing fee does not apply to instances in which a county
 5 or a municipality has contracted with the state, or has been
 6 delegated by the state, responsibility for enforcing state
 7 operations, policies, or requirements under s. 125.69, s.
 8 166.0415, or chapter 162.

9 (2) To offset costs incurred by the clerks of the
 10 court in performing court-related functions associated with
 11 the processing of violations of special laws and municipal
 12 ordinances, 10 percent of the total amount of fines paid to
 13 each municipality for special law or ordinance violations
 14 filed in circuit court shall be retained by the clerk of the
 15 court for deposit into the clerk's fine and forfeiture fund
 16 established pursuant to s. 142.01, except for fines a portion
 17 of which the clerk of the court retains pursuant to any other
 18 provision of state law. A municipality does not include the
 19 unincorporated areas, if any, of a government created pursuant
 20 to s. 6(e), Art. VIII of the State Constitution.

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===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 4, line 1, after the first semicolon,
 26
 27 and insert: excluding unincorporated areas of certain
 28 consolidated governments from the term "municipality" for
 29 purposes of sharing with the clerk certain fines from local
 30 ordinance violations;

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