

1 A bill to be entitled
 2 An act relating to court costs for drug court programs;
 3 creating s. 938.20, F.S.; authorizing counties to provide
 4 by ordinance for funding of drug court programs through
 5 the assessment of an additional mandatory court cost;
 6 providing for the assessment to be imposed against persons
 7 convicted of certain violations of drug abuse prevention
 8 and control provisions, violations of a municipal or
 9 county ordinance, or traffic violations involving alcohol
 10 or other substance use or abuse and resulting in payment
 11 of a fine or penalty; providing an exception; providing
 12 for collection and deposit of the assessment; providing
 13 for administration of the funds; providing an effective
 14 date.

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 16 Be It Enacted by the Legislature of the State of Florida:

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 18 Section 1. Section 938.20, Florida Statutes, is created to
 19 read:

20 938.20 Court costs for drug court programs.--
 21 (1) Notwithstanding s. 318.121, each county in which a
 22 drug court program has been established under s. 397.334 may
 23 require by ordinance the assessment of a mandatory cost in the
 24 sum of \$6 which shall be assessed by both the circuit court and
 25 the county court in the county against every person who pleads
 26 guilty or nolo contendere to, or is convicted of, regardless of
 27 adjudication, a violation of chapter 893, a municipal ordinance,
 28 a county ordinance, or any provision of chapter 316 involving

29 the use of alcohol or other substance use or abuse which results
 30 in payment of a fine or civil penalty. Any person whose
 31 adjudication is withheld pursuant to s. 318.14(9) or (10) must
 32 be assessed such cost. The \$6 assessment shall be in addition to
 33 any fine, civil penalty, or other court cost and may not be
 34 deducted from the proceeds of that portion of any fine or civil
 35 penalty which is received by a municipality in the county or by
 36 the county in accordance with ss. 316.660 and 318.21. The \$6
 37 assessment shall specifically be added to any civil penalty paid
 38 for a violation of chapter 316, whether such penalty is paid by
 39 mail, paid in person without request for a hearing, or paid
 40 after a hearing and determination by the court. However, the \$6
 41 assessment may not be made against a person for a violation of
 42 any state statute, county ordinance, or municipal ordinance
 43 relating to the parking of vehicles, with the exception of a
 44 violation of the handicapped parking laws.

45 (2) The clerk of the circuit court shall collect the \$6
 46 assessment established pursuant to subsection (1) and shall
 47 deposit the assessment monthly into an account specifically
 48 designated for the operation and administration of the drug
 49 court program within the county and which is under the authority
 50 of the trial court administrator for the respective circuit,
 51 less 8 percent, which shall be retained as fee income for the
 52 office of the clerk of the circuit court, together with other
 53 moneys that become available for establishing, operating, and
 54 administering drug court programs under state law.

55 (3) Assessments deposited into an account specifically
 56 designated for the operation and administration of the drug

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57 court programs within such county shall be administered by the
58 trial court administrator for the respective circuit under the
59 direction of the advisory committee appointed by the chief judge
60 in each circuit pursuant to ss. 948.08(7) and 985.306(2).

61 Section 2. This act shall take effect upon becoming a law.