

1 A bill to be entitled
 2 An act relating to court system funding; amending s.
 3 29.008, F.S.; defining the term "base year"; revising the
 4 provisions for determining county compliance with the
 5 funding of certain court expenses; amending s. 29.0085,
 6 F.S.; providing that submission of certain county fiscal
 7 information rely on certain base year statements;
 8 providing an effective date.

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

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 12 Section 1. Subsection (4) of section 29.008, Florida
 13 Statutes, is amended to read:

14 29.008 County funding of court-related functions.--

15 (4) (a) For purposes of this subsection, the term "base
 16 year" means the average of the expenditures over the previous 5
 17 fiscal years for the items specified in paragraphs (1) (c) - (h).

18 (b) A county may demonstrate compliance with its funding
 19 obligations under this section by showing a 1.5 percent growth
 20 per year in expenditures for the ~~Except for revenues used for~~
 21 ~~the payment of principal or interest on bonds, tax anticipation~~
 22 ~~certificates, or any other form of indebtedness as allowed under~~
 23 ~~s. 218.25(1), (2) or (4), the Department of Revenue shall~~
 24 ~~withhold revenue sharing receipts distributed pursuant to part~~
 25 ~~II of chapter 218 from any county not in compliance with the~~
 26 ~~county funding obligations for items specified in paragraphs~~
 27 ~~(1) (c) - (h) (a), (c), (d), (e), (f), (g), and (h) and subsection~~
 28 ~~(3) over the base year statement required under s. 29.0085;~~

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29 however, a county may expend less than the amount specified in
30 this paragraph if the difference is attributable to savings
31 realized through technology and equipment innovations. Any such
32 reduced expenditures may be certified by the chief judge of the
33 county. ~~The department shall withhold an amount equal to the~~
34 ~~difference between the amount spent by the county for the~~
35 ~~particular item in county fiscal year 2002-2003, the base year,~~
36 ~~plus 3 percent, and the amount budgeted by the county for these~~
37 ~~obligations in county fiscal year 2004-2005, if the latter is~~
38 ~~less than the former. Every year thereafter, the department~~
39 ~~shall withhold such an amount if the amount budgeted in that~~
40 ~~year is less than the base year plus 1.5 percent growth per~~
41 ~~year. On or before December 31, 2004, counties shall send to the~~
42 ~~department a certified copy of their budget documents for the~~
43 ~~respective 2 years, separately identifying expenditure amounts~~
44 ~~for each county funding obligation specified in paragraphs~~
45 ~~(1)(a), (c), (d), (e), (f), (g), and (h) and subsection (3).~~
46 ~~Each year thereafter, on or before December 31 of that year,~~
47 ~~each county shall send a certified copy of its budget document~~
48 ~~to the department.~~

49 ~~(b) Beginning in fiscal year 2005-2006, additional amounts~~
50 ~~shall be withheld pursuant to paragraph (a), if the amount spent~~
51 ~~in the previous fiscal year on the items specified in paragraphs~~
52 ~~(1)(a), (c), (d), (e), (f), (g), and (h), and subsection (3) is~~
53 ~~less than the amount budgeted for those items. Each county shall~~
54 ~~certify expenditures for these county obligations for the prior~~
55 ~~fiscal year to the department within 90 days after the end of~~
56 ~~the fiscal year.~~

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57 ~~(c) The department shall transfer the withheld payments to~~
58 ~~the General Revenue Fund by March 31 of each year. These~~
59 ~~payments are hereby appropriated to the Department of Revenue to~~
60 ~~pay for these responsibilities on behalf of the county.~~

61 Section 2. Subsection (1) of section 29.0085, Florida
62 Statutes, is amended to read:

63 29.0085 Annual statement of certain revenues and
64 expenditures.--

65 (1) Each county shall submit annually to the Chief
66 Financial Officer a statement of revenues and expenditures as
67 set forth in this section in the form and manner prescribed by
68 the Chief Financial Officer in consultation with the Legislative
69 Committee on Intergovernmental Relations, provided that such
70 statement identify total county expenditures on each of the
71 services outlined in s. 29.008. The statement submitted pursuant
72 to this section for the average of the previous 5 county fiscal
73 years shall be the base year statement.

74 Section 3. This act shall take effect July 1, 2006.