

CHAMBER ACTION

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1 The Finance & Tax Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to court costs for drug court programs;  
7 creating s. 938.20, F.S.; authorizing counties to provide  
8 by ordinance for funding of drug court programs through  
9 the assessment of an additional mandatory court cost;  
10 providing for the assessment to be imposed against persons  
11 who plead guilty or no contest to or are convicted of  
12 certain violations of drug abuse prevention and control  
13 provisions or violations of certain municipal or county  
14 ordinances or pay a fine or civil penalty for traffic  
15 violations involving alcohol or other substance use or  
16 abuse; providing for collection and deposit of the  
17 assessment; providing for administration of the funds;  
18 providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22 Section 1. Section 938.20, Florida Statutes, is created to  
23 read:

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24 938.20 Court costs for drug court programs.--

25 (1) Each county in which a drug court program has been  
26 established under s. 397.334 may require by ordinance the  
27 assessment of a mandatory cost in the sum of \$6 which shall be  
28 assessed by both the circuit court and the county court in the  
29 county against every person who:

30 (a) Pleads guilty or nolo contendere to, or is convicted  
31 of, regardless of adjudication, a violation of chapter 893 or a  
32 violation of a municipal or county ordinance involving the use  
33 of alcohol or other substance use or abuse; or

34 (b) Pays a fine or civil penalty for any violation of  
35 chapter 316 involving the use of alcohol or other substance use  
36 or abuse.

37  
38 The \$6 assessment shall be in addition to any fine, civil  
39 penalty, or other court cost and may not be deducted from the  
40 proceeds of that portion of any fine or civil penalty which is  
41 received by a municipality in the county or by the county in  
42 accordance with ss. 316.660 and 318.21. The \$6 assessment shall  
43 specifically be added to any civil penalty paid for a violation  
44 of chapter 316, whether such penalty is paid by mail, paid in  
45 person without request for a hearing, or paid after a hearing  
46 and determination by the court.

47 (2) The clerk of the circuit court shall collect the \$6  
48 assessment established pursuant to subsection (1) and shall  
49 deposit the assessment monthly into an account specifically  
50 designated for the operation and administration of the drug  
51 court program within the county and which is under the authority

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52 | of the trial court administrator for the respective circuit,  
53 | less 8 percent, which shall be retained as fee income for the  
54 | office of the clerk of the circuit court, together with other  
55 | moneys that become available for establishing, operating, and  
56 | administering drug court programs under state law.

57 | (3) Assessments deposited into an account specifically  
58 | designated for the operation and administration of the drug  
59 | court programs within such county shall be administered by the  
60 | trial court administrator for the respective circuit under the  
61 | direction of the advisory committee appointed by the chief judge  
62 | in each circuit pursuant to ss. 948.08(7) and 985.306(2).

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