

By Senator Argenziano

3-1110-07

1 A bill to be entitled
2 An act relating to court costs; amending s.
3 938.01, F.S.; increasing the court cost
4 assessed against any person convicted of
5 violating a state penal or criminal statute or
6 convicted of violating a municipal or county
7 ordinance; increasing the amount deducted from
8 every bond estreature or forfeited bail bond
9 related to such penal statutes which is
10 remitted to the Department of Revenue; revising
11 the allocation of funds received from the court
12 costs and distributed to the Department of Law
13 Enforcement Criminal Justice Standards and
14 Training Trust Fund, the Department of Law
15 Enforcement Operating Trust Fund for the
16 Criminal Justice Grant Program, and the
17 Department of Children and Family Services
18 Domestic Violence Trust Fund for the domestic
19 violence program; amending ss. 318.18 and
20 327.73, F.S., relating to civil penalties for
21 noncriminal traffic and boating infractions;
22 conforming provisions to changes made by the
23 act; providing an effective date.

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

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27 Section 1. Subsection (1) of section 938.01, Florida
28 Statutes, is amended to read:

29 938.01 Additional Court Cost Clearing Trust Fund.--

30 (1) All courts created by Art. V of the State
31 Constitution shall, in addition to any fine or other penalty,

1 require every person convicted for violation of a state penal
2 or criminal statute or convicted for violation of a municipal
3 or county ordinance to pay~~\$5\$3~~ as a court cost. Any person
4 whose adjudication is withheld pursuant to the provisions of
5 s. 318.14(9) or (10) shall also be liable for payment of such
6 cost. In addition,~~\$5\$3~~ from every bond estreature or
7 forfeited bail bond related to such penal statutes or penal
8 ordinances shall be remitted to the Department of Revenue as
9 described in this subsection. However, no such assessment may
10 be made against any person convicted for violation of any
11 state statute, municipal ordinance, or county ordinance
12 relating to the parking of vehicles.

13 (a) All costs collected by the courts pursuant to this
14 subsection shall be remitted to the Department of Revenue in
15 accordance with administrative rules adopted by the executive
16 director of the Department of Revenue for deposit in the
17 Additional Court Cost Clearing Trust Fund. These funds and the
18 funds deposited in the Additional Court Cost Clearing Trust
19 Fund pursuant to s. 318.21(2)(c) shall be distributed as
20 follows:

21 1. Ninety-five and two-tenths ~~Ninety-two~~ percent to
22 the Department of Law Enforcement Criminal Justice Standards
23 and Training Trust Fund.

24 2. Three and eight-tenths ~~Six and three tenths~~ percent
25 to the Department of Law Enforcement Operating Trust Fund for
26 the Criminal Justice Grant Program.

27 3. ~~One and seven tenths~~ percent to the Department of
28 Children and Family Services Domestic Violence Trust Fund for
29 the domestic violence program pursuant to s. 39.903(3).

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1 (b) All funds in the Department of Law Enforcement
2 Criminal Justice Standards and Training Trust Fund shall be
3 disbursed only in compliance with s. 943.25(9).

4 Section 2. Paragraph (d) of subsection (11) of section
5 318.18, Florida Statutes, is amended to read:

6 318.18 Amount of civil penalties.--The penalties
7 required for a noncriminal disposition pursuant to s. 318.14
8 are as follows:

9 (11)

10 (d) In addition to the court cost required under
11 paragraph (a), a ~~\$5~~\$3 court cost must be paid for each
12 infraction to be distributed as provided in s. 938.01 and a \$2
13 court cost as provided in s. 938.15 when assessed by a
14 municipality or county.

15 Section 3. Subsection (11) of section 327.73, Florida
16 Statutes, is amended to read:

17 327.73 Noncriminal infractions.--

18 (11)(a) Court costs that are to be in addition to the
19 stated civil penalty shall be imposed by the court in an
20 amount not less than the following:

- 21 1. For swimming or diving infractions, \$3.
- 22 2. For nonmoving boating infractions, \$6.
- 23 3. For boating infractions listed in s. 327.731(1),
24 \$10.

25 (b) In addition to the court cost assessed under
26 paragraph (a), the court shall impose a ~~\$5~~\$3 court cost for
27 each noncriminal infraction, to be distributed as provided in
28 s. 938.01, and a \$2 court cost as provided in s. 938.15 when
29 assessed by a municipality or county.

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1 Court costs imposed under this subsection may not exceed \$30.
2 A criminal justice selection center or both local criminal
3 justice access and assessment centers may be funded from these
4 court costs.

5 Section 4. This act shall take effect July 1, 2007.

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8 SENATE SUMMARY

9 Increases the court costs assessed against any person
10 convicted of a violation of a state penal or criminal
11 statute or convicted of a violation of a municipal or
12 county ordinance from \$3 to \$5. Increases the amount
13 assessed every bond estreature or forfeited bail bond
14 related to such penal statutes from \$3 to \$5. Requires
15 that the funds be remitted to the Department of Revenue.
16 Revises the percentage of funds allocated to the
17 Department of Law Enforcement Criminal Justice Standards
18 and Training Trust Fund, the Department of Law
19 Enforcement Operating Trust Fund for the Criminal Justice
20 Grant Program, and the Department of Children and Family
21 Services Domestic Violence Trust Fund for the domestic
22 violence program.
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