

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

3 938.01 Additional Court Cost Clearing Trust Fund.--

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

18 (a) All costs collected by the courts pursuant to this
19 subsection shall be remitted to the Department of Revenue in
20 accordance with administrative rules adopted by the executive
21 director of the Department of Revenue for deposit in the
22 Additional Court Cost Clearing Trust Fund.

23 1. These funds ~~and the funds deposited in the~~
24 ~~Additional Court Cost Clearing Trust Fund pursuant to s.~~
25 ~~318.21(2)(c)~~ shall be distributed as follows:

26 a.1. Ninety-four ~~Ninety two~~ percent to the Department
27 of Law Enforcement Criminal Justice Standards and Training
28 Trust Fund.

29 b.2. Four and seven-tenths ~~Six and three tenths~~
30 percent to the Department of Law Enforcement Operating Trust
31 Fund for the Criminal Justice Grant Program.

1 ~~c.3.~~ One and three-tenths ~~and seven-tenths~~ percent to
 2 the Department of Children and Family Services Domestic
 3 Violence Trust Fund for the domestic violence program pursuant
 4 to s. 39.903(3).

5 2. The funds deposited in the Additional Court Cost
 6 Clearing Trust Fund pursuant to s. 318.21(2)(c) shall be
 7 distributed as follows:

8 a. Ninety-two percent to the Department of Law
 9 Enforcement Criminal Justice Standards and Training Trust
 10 Fund.

11 b. Six and three-tenths percent to the Department of
 12 Law Enforcement Operating Trust Fund for the Criminal Justice
 13 Grant Program.

14 c. One and seven-tenths percent to the Department of
 15 Children and Family Services Domestic Violence Trust Fund for
 16 the domestic violence program pursuant to s. 39.903(3).

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

20 Section 2. Present subsection (12) of section 938.30,
 21 Florida Statutes, is redesignated as subsection (13), and a
 22 new subsection (12) is added to that section, to read:

23 938.30 Financial obligations in criminal cases;
 24 supplementary proceedings.--

25 (12) The court shall not enter an order sealing or
 26 expunging criminal history records under Rule 3.692, Florida
 27 Rules of Criminal Procedure, and ss. 943.0585 and 943.059,
 28 until the person has paid all outstanding criminal costs and
 29 finances assessed against the moving party, unless the court
 30 makes written findings about the appropriateness of sealing or
 31 expunging despite the outstanding costs and fines.

1 Section 3. Paragraph (d) of subsection (11) of section
2 318.18, Florida Statutes, is amended to read:

3 318.18 Amount of civil penalties.--The penalties
4 required for a noncriminal disposition pursuant to s. 318.14
5 are as follows:

6 (11)

7 (d) In addition to the court cost required under
8 paragraph (a), a ~~\$4\$3~~ court cost must be paid for each
9 infraction to be distributed as provided in s. 938.01 and a \$2
10 court cost as provided in s. 938.15 when assessed by a
11 municipality or county.

12 Section 4. Subsection (11) of section 327.73, Florida
13 Statutes, is amended to read:

14 327.73 Noncriminal infractions.--

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

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

22 (b) In addition to the court cost assessed under
23 paragraph (a), the court shall impose a ~~\$4\$3~~ court cost for
24 each noncriminal infraction, to be distributed as provided in
25 s. 938.01, and a \$2 court cost as provided in s. 938.15 when
26 assessed by a municipality or county.

27
28 Court costs imposed under this subsection may not exceed \$30.
29 A criminal justice selection center or both local criminal
30 justice access and assessment centers may be funded from these
31 court costs.

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