

Bill No. CS for SB 2162

Barcode 794700

CHAMBER ACTION

Senate

House

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Comm: RCS
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The Committee on Judiciary (Villalobos) recommended the following amendment:

Senate Amendment (with title amendment)

On page 1, lines 17 through 21, delete those lines

and insert: Section 1. Subsections (13) and (14) of section 318.18, Florida Statutes, are amended to read:

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

(13) In addition to any penalties imposed for noncriminal traffic infractions pursuant to this chapter or imposed for criminal violations listed in s. 318.17, a board of county commissioners or any unit of local government which is consolidated as provided by s. 9, Art. VIII of the State Constitution of 1885, as preserved by s. 6(e), Art. VIII of the Constitution of 1968:

(a) May impose by ordinance a surcharge of up to \$15 for any infraction or violation to fund state court facilities. The court shall not waive this surcharge. Up to 25

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1 percent of the revenue from such surcharge may be used to
 2 support local law libraries provided that the county or unit
 3 of local government provides a level of service equal to that
 4 provided prior to July 1, 2004, which shall include the
 5 continuation of library facilities located in or near the
 6 county courthouse or annexes.

7 (b) That imposed increased fees or service charges by
 8 ordinance under s. 28.2401, s. 28.241, or s. 34.041 for the
 9 purpose of securing payment of the principal and interest on
 10 bonds issued by the county before July 1, 2003, to finance
 11 state court facilities, may impose by ordinance a surcharge
 12 for any infraction or violation for the exclusive purpose of
 13 securing payment of the principal and interest on bonds issued
 14 by the county before July 1, 2003, to fund state court
 15 facilities until the date of stated maturity. The court shall
 16 not waive this surcharge. Such surcharge may not exceed an
 17 amount per violation calculated as the quotient of the maximum
 18 annual payment of the principal and interest on the bonds as
 19 of July 1, 2003, divided by the number of traffic citations
 20 for county fiscal year 2002-2003 certified as paid by the
 21 clerk of the court of the county. Such quotient shall be
 22 rounded up to the next highest dollar amount. The bonds may be
 23 refunded only if savings will be realized on payments of debt
 24 service and the refunding bonds are scheduled to mature on the
 25 same date or before the bonds being refunded. Notwithstanding
 26 any of the foregoing provisions of this paragraph that limit
 27 the use of surcharge revenues, if the revenues generated as a
 28 result of the adoption of this ordinance exceed the debt
 29 service on the bonds, the surplus revenues may be used to pay
 30 down the debt service on the bonds; fund other
 31 state-court-facility construction projects as may be certified

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1 by the chief judge as necessary to address unexpected growth
 2 in caseloads, emergency requirements to accommodate public
 3 access, threats to the safety of the public, judges, staff,
 4 and litigants, or other exigent circumstances; or support
 5 local law libraries in or near the county courthouse or
 6 annexes.

7
 8 A county may not impose both of the surcharges authorized
 9 under paragraphs (a) and (b) concurrently, unless the chief
 10 judge certifies the need for additional state court facilities
 11 due to unexpected growth in caseloads; emergency requirements
 12 to accommodate public access; threats to the safety of the
 13 public, judges, staff, and litigants; the need to support
 14 local law libraries in or near the county courthouse or
 15 annexes; or other exigent circumstances. The clerk of court
 16 shall report, no later than 30 days after the end of the
 17 quarter, the amount of funds collected under this subsection
 18 during each quarter of the fiscal year. The clerk shall submit
 19 the report, in a format developed by the Office of State
 20 Courts Administrator, to the chief judge of the circuit, the
 21 Governor, the President of the Senate, and the Speaker of the
 22 House of Representatives.

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25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 1, line 3, after the semicolon,

28
29 insert:

30 prescribing authorized uses of surplus funds
31 generated from a bond-debt-service surcharge;

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1 providing exception requirements for a county
2 to impose both of the surcharges under s.
3 318.18(13)(a) and (b);
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