

Bill No. SB 914

Barcode 384738

CHAMBER ACTION

Senate

House

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The Committee on Judiciary (Joyner) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 2, between lines 7 and 8,

insert:

Section 2. Subsection (13) of section 318.18, Florida Statutes, is 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

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1 facilities. The court may ~~shall~~ not waive this surcharge. Up  
 2 to 25 percent of the revenue from such surcharge may be used  
 3 to support local law libraries provided that the county or  
 4 unit of local government provides a level of service equal to  
 5 that provided prior to July 1, 2004, which shall include the  
 6 continuation of library facilities located in or near the  
 7 county courthouse or annexes.

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

- 30 1. Pay down the debt service on the bonds;
- 31 2. Fund other court facility construction projects as

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1 may be certified by the chief judge as necessary to address  
 2 unexpected growth in caseloads, to accommodate public access,  
 3 or to provide for public safety; or  
 4       3. Support local law libraries located in or near the  
 5 county courthouse or annexes.

6  
 7 A county may not impose both of the surcharges authorized  
 8 under paragraphs (a) and (b) concurrently unless the chief  
 9 judge certifies the need for additional state court facilities  
 10 due to unexpected growth in caseloads, emergency requirements  
 11 to accommodate public access, threats to the safety of the  
 12 public, judges, staff, or litigants, or other exigent  
 13 circumstances. The clerk of court shall report, no later than  
 14 30 days after the end of the quarter, the amount of funds  
 15 collected under this subsection during each quarter of the  
 16 fiscal year. The clerk shall submit the report, in a format  
 17 developed by the Office of State Courts Administrator, to the  
 18 chief judge of the circuit, the Governor, the President of the  
 19 Senate, and the Speaker of the House of Representatives.

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21 (Redesignate subsequent sections.)

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

25 And the title is amended as follows:

26       On page 1, lines 2-6, delete those lines

27  
28 and insert:

29       An act relating to civil court fees and  
 30       penalties; amending s. 57.082, F.S.; providing  
 31       for an indigent person whose income is equal to

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1 or below a specified threshold to have court  
2 fees waived; amending s. 318.18, F.S.;  
3 providing for the use of surplus revenues  
4 generated by the increased fees or service  
5 charges imposed by a unit of local government;  
6 providing an exception for prohibiting a county  
7 from imposing certain surcharges concurrently;  
8 providing an effective

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