

1 A bill to be entitled
 2 An act relating to court costs for drug court programs;
 3 creating s. 938.20, F.S.; authorizing counties to provide
 4 by ordinance for funding of drug court programs through
 5 the assessment of an additional mandatory court cost;
 6 providing for the assessment to be imposed against persons
 7 who plead guilty or no contest to, or are convicted of,
 8 certain drug-abuse prevention and control provisions or
 9 certain local ordinances or uniform traffic control laws
 10 involving alcohol or other substance use or abuse;
 11 providing for collection and deposit of the assessment;
 12 providing for administration of the funds; providing an
 13 effective date.

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

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 17 Section 1. Section 938.20, Florida Statutes, is created to
 18 read:

19 938.20 Court costs for drug court programs.--

20 (1) Each county in which a drug court program has been
 21 established under s. 397.334 may require by ordinance the
 22 assessment of a mandatory cost in the sum of \$6 which shall be
 23 assessed by both the circuit court and the county court in the
 24 county against each person who:

25 (a) Pleads guilty or nolo contendere to, or is convicted
 26 of, regardless of adjudication, a violation of chapter 893;

27 (b) Pleads guilty or nolo contendere to, or is convicted
 28 of, regardless of adjudication, a violation of a municipal

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29 ordinance or a county ordinance involving the use of alcohol or
30 other substance use or abuse; or

31 (c) Pays a fine or civil penalty for any violation of
32 chapter 316 involving the use of alcohol or other substance use
33 or abuse.

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

45 (2) The clerk of the circuit court shall collect the \$6
46 assessment established pursuant to subsection (1) and shall
47 deposit the assessment monthly into an account specifically
48 designated for operating and administering the drug court
49 program within the county, less 5 percent, which shall be
50 retained as fee income for the office of the clerk of the
51 circuit court, together with other moneys that become available
52 for establishing, operating, and administering drug court
53 programs under state law.

54 (3) Assessments deposited into an account specifically
55 designated for operating and administering the drug court
56 programs within the county shall be administered by the county

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57 under the direction of the advisory committee appointed by the
58 chief judge in each circuit pursuant to s. 397.334.

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