

1                                   A bill to be entitled  
 2           An act relating to court costs; amending s. 938.10, F.S.;  
 3           expanding the list of provisions of law for which a court  
 4           is required to impose an additional court cost for certain  
 5           pleadings or findings relating to offenses against a minor  
 6           and certain other offenses; increasing the amount of the  
 7           court cost; allocating certain portions of the court cost;  
 8           amending s. 939.185, F.S.; requiring the clerk of court to  
 9           cause a copy of certain court orders imposing certain  
 10          costs to be recorded; providing for creation of a lien  
 11          against real and personal property; providing an  
 12          exception; providing for enforcement of the lien;  
 13          providing an effective date.

14  
 15 Be It Enacted by the Legislature of the State of Florida:

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 17           Section 1. Section 938.10, Florida Statutes, is amended to  
 18           read:

19           938.10 Additional court cost imposed in cases of certain  
 20           crimes ~~against minors~~.--

21           (1) If a person pleads guilty or nolo contendere to, or is  
 22           found guilty of, regardless of adjudication, any offense against  
 23           a minor in violation of s. 784.085, chapter 787, chapter 794, s.  
 24           796.03, s. 796.035, s. 800.04, chapter 827, s. 847.012, s.  
 25           847.0133, s. 847.0135(5), s. 847.0138, s. 847.0145, s.  
 26           893.147(3), or s. 985.701, or any offense in violation of s.  
 27           775.21, s. 847.0125, s. 847.0134, or s. 943.0435, the court

28 shall impose a court cost of \$151 ~~\$101~~ against the offender in  
 29 addition to any other cost or penalty required by law.

30 (2) Each month the clerk of the court shall transfer the  
 31 proceeds of the court cost, less \$1 from each sum collected  
 32 which the clerk shall retain as a service charge, to the  
 33 Department of Revenue for deposit into the Department of  
 34 Children and Family Services' Grants and Donations Trust Fund  
 35 for disbursement as follows:

36 (a) The sum of \$100 to the Florida Network of Children's  
 37 Advocacy Centers, Inc., for the purpose of funding children's  
 38 advocacy centers that are members of the network.

39 (b) The sum of \$50 to the Statewide Guardian Ad Litem  
 40 Office created under s. 39.8296.

41 Section 2. Paragraph (d) is added to subsection (1) of  
 42 section 939.185, Florida Statutes, to read:

43 939.185 Assessment of additional court costs and  
 44 surcharges.--

45 (1)

46 (d) The clerk of court shall cause a certified copy of the  
 47 court order imposing such costs to be recorded in the public  
 48 records. Such record shall constitute a lien against the person  
 49 upon whom the costs are imposed and shall attach as a lien on  
 50 any real and personal property owned by such person. A lien  
 51 created under this paragraph does not attach to, or make subject  
 52 to execution of levy or foreclosure, any real or personal  
 53 property otherwise exempt under s. 4, Art. X of the State  
 54 Constitution. A lien created under this paragraph is enforceable  
 55 in the same manner as provided by law.

CS/CS/HB 217

2009

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Section 3. This act shall take effect July 1, 2009.