

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Criminal and Civil Justice Appropriations Committee

BILL: CS/SB 18-A

INTRODUCER: Criminal and Civil Justice Appropriations Committee

SUBJECT: Public Defenders Independent Trust Fund

DATE: January 7, 2009      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hendon	Sadberry	JA	<b>FAV/CS</b>
2.	McVaney	Kelly	WPSC	<b>Pre-meeting</b>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

The bill creates the Public Defenders Independent Trust Fund. The purpose of the fund is to support the activities of the 20 public defenders.

This bill creates an unnumbered section of the Florida Statutes.

**II. Present Situation:**

The public defenders are primarily funded through general revenue. Two trust funds are used to support the specific activities of the public defenders.

**III. Effect of Proposed Changes:**

The bill creates the Public Defenders Independent Trust Fund. The legislature can use the trust fund to fund the activities of the public defenders.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

The Florida Constitution requires a 3/5s vote by the legislature to create a new trust fund.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

The legislature can fund the activities of the public defenders through the trust fund created by this bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

## A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal and Civil Justice Appropriations on January 7, 2009:

The committee substitute creates the Public Defenders Independent Trust Fund.

## B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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