

1 A bill to be entitled
 2 An act relating to trust funds; amending ss. 25.241 and
 3 35.22, F.S.; providing for deposit of specified fees into
 4 the State Courts Revenue Trust Fund rather than the state
 5 court's Operating Trust Fund; amending s. 832.08, F.S.;
 6 providing for deposit of bad check diversion program fees
 7 into the State Attorneys Revenue Trust Fund; amending s.
 8 938.27, F.S.; providing for deposit of certain court costs
 9 after criminal convictions into the State Attorneys
 10 Revenue Trust Fund rather than the state attorney's grants
 11 and donations trust fund; transferring certain unexpended
 12 balances in trust funds to conform to changes made by this
 13 act; providing an 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. Subsection (5) of section 25.241, Florida
 18 Statutes, is amended to read:

19 25.241 Clerk of Supreme Court; compensation; assistants;
 20 filing fees, etc.—

21 (5) The Clerk of the Supreme Court is hereby required to
 22 prepare a statement of all fees collected each month and remit
 23 such statement, together with all fees collected by him or her,
 24 to the Chief Financial Officer. The Chief Financial Officer
 25 shall deposit \$250 of each \$300 filing fee and all other fees
 26 collected into the General Revenue Fund. The Chief Financial
 27 Officer shall deposit \$50 of each filing fee collected into the
 28 State Courts Revenue ~~court's Operating~~ Trust Fund to fund court

29 | improvement projects as authorized in the General Appropriations
 30 | Act.

31 | Section 2. Subsection (6) of section 35.22, Florida
 32 | Statutes, is amended to read:

33 | 35.22 Clerk of district court; appointment; compensation;
 34 | assistants; filing fees; teleconferencing.—

35 | (6) The clerk of each district court of appeal is required
 36 | to deposit all fees collected in the State Treasury to the
 37 | credit of the General Revenue Fund, except that \$50 of each \$300
 38 | filing fee collected shall be deposited into the State Courts
 39 | Revenue ~~court's Operating~~ Trust Fund to fund court improvement
 40 | projects as authorized in the General Appropriations Act. The
 41 | clerk shall retain an accounting of each such remittance.

42 | Section 3. Subsection (5) of section 832.08, Florida
 43 | Statutes, is amended to read:

44 | 832.08 State attorney bad check diversion program; fees
 45 | for collections.—

46 | (5) To fund the diversion program, the state attorney may
 47 | collect a fee on each check that is collected through the state
 48 | attorney's office, whether it is collected through prosecution
 49 | or through the diversion program. Funds collected under this
 50 | subsection shall be deposited in the State Attorneys Revenue
 51 | Trust Fund. However, the state attorney may not collect such a
 52 | fee on any check collected through a diversion program which was
 53 | in existence in another office prior to October 1, 1986. A fee
 54 | may be collected by an office operating such a preexisting
 55 | diversion program for the purpose of funding such program. The
 56 | amount of the fee for each check shall not exceed:

57 (a) Twenty-five dollars, if the face value does not exceed
58 \$50.

59 (b) Thirty dollars, if the face value is more than \$50 but
60 does not exceed \$300.

61 (c) Forty dollars, if the face value is more than \$300.

62 Section 4. Subsection (8) of section 938.27, Florida
63 Statutes, is amended to read:

64 938.27 Judgment for costs on conviction.—

65 (8) Costs for the state attorney shall be set in all cases
66 at no less than \$50 per case when a misdemeanor or criminal
67 traffic offense is charged and no less than \$100 per case when a
68 felony offense is charged, including a proceeding in which the
69 underlying offense is a violation of probation or community
70 control. The court may set a higher amount upon a showing of
71 sufficient proof of higher costs incurred. Costs recovered on
72 behalf of the state attorney under this section shall be
73 deposited into the State Attorneys Revenue ~~attorney's grants and~~
74 ~~donations~~ Trust Fund to be used during the fiscal year in which
75 the funds are collected, or in any subsequent fiscal year, for
76 actual expenses incurred in investigating and prosecuting
77 criminal cases, which may include the salaries of permanent
78 employees, or for any other purpose authorized by the
79 Legislature.

80 Section 5. The amount of unexpended balances in the state
81 court's Operating Trust Fund attributable to collections made
82 pursuant to ss. 25.241 and 35.22, Florida Statutes, prior to
83 amendment by this act shall be transferred to the State Courts
84 Revenue Trust Fund, FLAIR number 22-2-057.

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85 Section 6. The amount of unexpended balances in the state
86 attorney's grants and donations trust fund attributable to
87 collections made pursuant to ss. 832.08 and 938.27, Florida
88 Statutes, prior to amendment by this act shall be transferred to
89 the State Attorneys Revenue Trust Fund, FLAIR number 21-2-058.

90 Section 7. This act shall take effect July 1, 2010.