

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 Budget Subcommittee on Criminal and Civil Justice Appropriations

BILL: SPB 7016

INTRODUCER: For consideration by the Budget Subcommittee on Criminal and Civil Justice Appropriations

SUBJECT: Public Defenders Revenue Trust Fund/Justice Administrative Commission

DATE: January 31, 2011

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hendon</u>	<u>Sadberry</u>	_____	Pre-meeting
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill re-creates the Public Defenders Revenue Trust Fund within the Justice Administrative Commission without modification, and repeals the provisions that would have terminated the trust fund. This bill repeals s. 27.61(2), Florida Statutes. The bill would become effective July 1, 2011.

II. Present Situation:

Currently, the Public Defenders Revenue Trust Fund within the Justice Administrative Commission is scheduled to be terminated on July 1, 2012. Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless exempt by the Constitution or operation of law. Funds credited to this trust fund consist of fees from traffic tickets and from cost of defense judgments for persons receiving the services of a public defender. For the current year, the legislature has appropriated \$4.8 million from this trust fund.

III. Effect of Proposed Changes:

This bill re-creates the trust fund without modification.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

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.)

None.

B. Amendments:

None.