

HB 1003

2018

1 A bill to be entitled
2 An act relating to costs of prosecution and
3 investigation; amending s. 938.27, F.S.; increasing
4 the minimum amounts set for costs of the state
5 attorney in specified types of cases; reenacting s.
6 985.032(2), F.S., relating to legal representation for
7 delinquency cases, to incorporate amendments made by
8 the act; providing an effective date.

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

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12 Section 1. Subsection (8) of section 938.27, Florida
13 Statutes, is amended to read:

14 938.27 Judgment for costs of prosecution and
15 investigation.—

16 (8) Costs for the state attorney must be set in all cases
17 at no less than \$100 ~~\$50~~ per case when a misdemeanor or criminal
18 traffic offense is charged and no less than \$200 ~~\$100~~ per case
19 when a felony offense is charged, including a proceeding in
20 which the underlying offense is a violation of probation or
21 community control. The court may set a higher amount upon a
22 showing of sufficient proof of higher costs incurred. Costs
23 recovered on behalf of the state attorney under this section
24 must be deposited into the State Attorneys Revenue Trust Fund to
25 be used during the fiscal year in which the funds are collected,

26 | or in any subsequent fiscal year, for actual expenses incurred
27 | in investigating and prosecuting criminal cases, which may
28 | include the salaries of permanent employees, or for any other
29 | purpose authorized by the Legislature.

30 | Section 2. For the purpose of incorporating the amendment
31 | made by this act to section 938.27, Florida Statutes, in a
32 | reference thereto, subsection (2) of section 985.032, Florida
33 | Statutes, is reenacted to read:

34 | 985.032 Legal representation for delinquency cases.—

35 | (2) A juvenile who has been adjudicated delinquent or has
36 | adjudication of delinquency withheld shall be assessed costs of
37 | prosecution as provided in s. 938.27.

38 | Section 3. This act shall take effect July 1, 2018.