

By Senator Steube

23-01291-18

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1 A bill to be entitled
2 An act relating to mandatory court costs; amending s.
3 938.27, F.S.; increasing the minimum amount of costs
4 charged per case by state attorneys; reenacting s.
5 985.032, F.S., relating to the legal representation
6 for delinquency cases, to incorporate the amendment
7 made to s. 938.27, F.S., in a reference thereto;
8 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.

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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, section 985.032, Florida Statutes, is
33 reenacted to read:

34 985.032 Legal representation for delinquency cases.—

35 (1) For cases arising under this chapter, the state
36 attorney shall represent the state.

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

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