

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Criminal Justice  
 2 Subcommittee

3 Representative Alexander offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Present subsections (2) through (8) of section  
 8 938.27, Florida Statutes, are redesignated as subsections (3)  
 9 through (9), respectively, a new subsection (2) is added to that  
 10 section, and present subsection (8) of that section is amended,  
 11 to read:

12 938.27 Judgment for costs of prosecution and  
 13 investigation.—

14 (2) Costs for the state attorney must be set in all cases  
 15 at no less than \$50 per case when a misdemeanor or criminal  
 16 traffic offense is charged and no less than \$100 per case when a

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17 felony offense is charged, including a proceeding in which the  
18 underlying offense is a violation of probation or community  
19 control. The court may set a higher amount upon a showing of  
20 sufficient proof of higher costs incurred; however, any amount  
21 exceeding the statutory minimum misdemeanor, criminal traffic,  
22 or felony costs may not be included as part of a negotiated plea  
23 agreement submitted to the court for consideration.

24 ~~(9)(8) Costs for the state attorney must be set in all~~  
25 ~~eases at no less than \$50 per case when a misdemeanor or~~  
26 ~~criminal traffic offense is charged and no less than \$100 per~~  
27 ~~case when a felony offense is charged, including a proceeding in~~  
28 ~~which the underlying offense is a violation of probation or~~  
29 ~~community control. The court may set a higher amount upon a~~  
30 ~~showing of sufficient proof of higher costs incurred. Costs~~  
31 ~~recovered on behalf of the state attorney under this section~~  
32 ~~must be deposited into the State Attorneys Revenue Trust Fund to~~  
33 ~~be used during the fiscal year in which the funds are collected,~~  
34 ~~or in any subsequent fiscal year, for actual expenses incurred~~  
35 ~~in investigating and prosecuting criminal cases, which may~~  
36 ~~include the salaries of permanent employees, or for any other~~  
37 ~~purpose authorized by the Legislature.~~

38 Section 2. For the purpose of incorporating the amendment  
39 made by this act to section 938.27, Florida Statutes, in a  
40 reference thereto, subsection (2) of section 985.032, Florida  
41 Statutes, is reenacted to read:

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42 985.032 Legal representation for delinquency cases.-

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

46 Section 3. This act shall take effect July 1, 2020.

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49 **T I T L E A M E N D M E N T**

50 Remove lines 3-6 and insert:

51 s. 938.27, F.S.; prohibiting the inclusion in negotiated plea  
52 agreements of costs for the state attorney which are greater  
53 than the minimum required; reenacting s. 985.032(2), F.S.;  
54 relating to assessing costs of prosecution to a juvenile, to  
55 incorporate the amendment made to s. 938.27, F.S., in reference  
56 thereto; providing an