

By Senator Hutson

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1                                   A bill to be entitled  
2       An act relating to Purple Heart recipient parking  
3       spaces; amending s. 316.1967, F.S.; authorizing  
4       counties and municipalities to provide by ordinance  
5       that the clerk of the court or the traffic violations  
6       bureau supply information in a specified format  
7       regarding certain violations to the Department of  
8       Highway Safety and Motor Vehicles; requiring counties  
9       to provide by ordinance that the clerk of the court or  
10      the traffic violations bureau supply information in a  
11      specified format relating to such violations to the  
12      department; requiring the department to mark specified  
13      registration records; creating s. 316.1968, F.S.;  
14      defining the terms "Purple Heart recipient parking  
15      space" or "space"; prohibiting a person from stopping,  
16      standing, or parking a vehicle within, or obstructing,  
17      any Purple Heart recipient parking space unless  
18      certain conditions are met; prohibiting violations of  
19      such provision from being dismissed under certain  
20      circumstances; authorizing warnings to be issued under  
21      certain circumstances; requiring law enforcement  
22      officers, parking enforcement specialists, and owners  
23      and lessees of Purple Heart recipient parking spaces  
24      to have vehicles in violation removed; providing that  
25      the cost of removal and parking constitutes a lien  
26      against such vehicles under specified conditions;  
27      requiring law enforcement officers and parking  
28      enforcement specialists to charge the operator or  
29      person in charge of such vehicle with a noncriminal

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30 traffic infraction; providing an exemption; requiring  
31 the clerk of the court to report convictions for such  
32 violations to the department; authorizing law  
33 enforcement officers and parking enforcement  
34 specialists to demand to be shown a person's Purple  
35 Heart parking permit or license plate and driver  
36 license or state identification card when  
37 investigating certain violations; providing a penalty;  
38 authorizing persons chauffeuring Purple Heart  
39 recipients to stand temporarily in such parking spaces  
40 for specified purposes; providing a time limit for  
41 vehicles that are transporting Purple Heart recipients  
42 to park in such spaces; providing an exception;  
43 creating s. 316.1969, F.S.; specifying that any motor  
44 vehicle parked in a designated Purple Heart recipient  
45 parking space is prima facie evidence that the vehicle  
46 was parked and left in the space by the person, firm,  
47 or corporation in whose name the vehicle is registered  
48 and licensed; amending s. 318.18, F.S.; providing a  
49 penalty; providing for a law enforcement officer or  
50 agency or a parking enforcement specialist or agency  
51 to validate compliance for the disposition of a  
52 citation issued for illegally parking in a space  
53 provided for Purple Heart recipients; requiring the  
54 clerk of the circuit court to dismiss citations  
55 resulting from violations for illegally parking in a  
56 parking space provided for Purple Heart recipients  
57 upon payment of a specified dismissal fee; providing  
58 for a clerk of the circuit court to designate a local

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59 governmental entity for disposition of certain parking  
60 citations; amending s. 320.089, F.S.; providing for  
61 the issuance of Purple Heart parking permits;  
62 specifying requirements for the issuance of such  
63 permits; amending ss. 316.1951, 316.622, 318.121,  
64 318.21, and 395.4036, F.S.; conforming cross-  
65 references; providing an effective date.  
66

67 Be It Enacted by the Legislature of the State of Florida:  
68

69 Section 1. Subsection (6) of section 316.1967, Florida  
70 Statutes, is amended to read:

71 316.1967 Liability for payment of parking ticket violations  
72 and other parking violations.—

73 (6) Any county or municipality may provide by ordinance  
74 that the clerk of the court or the traffic violations bureau  
75 shall supply the department with a magnetically encoded computer  
76 tape reel or cartridge or send by other electronic means data  
77 which is machine readable by the installed computer system at  
78 the department, listing persons who have three or more  
79 outstanding parking violations, including violations of ss.  
80 316.1955 and 316.1968 ~~s. 316.1955~~. Each county shall provide by  
81 ordinance that the clerk of the court or the traffic violations  
82 bureau shall supply the department with a magnetically encoded  
83 computer tape reel or cartridge or send by other electronic  
84 means data that is machine readable by the installed computer  
85 system at the department, listing persons who have any  
86 outstanding violations of s. 316.1955 or any similar local  
87 ordinance that regulates parking in spaces designated for use by

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88 persons who have disabilities or of s. 316.1968. The department  
89 shall mark the appropriate registration records of persons who  
90 are so reported. Section 320.03(8) applies to each person whose  
91 name appears on the list.

92 Section 2. Section 316.1968, Florida Statutes, is created  
93 to read:

94 316.1968 Parking spaces for Purple Heart recipients;  
95 enforcement of parking requirements.-

96 (1) For purposes of this section, the terms "Purple Heart  
97 recipient parking space" or "space" mean a parking space  
98 designated for a Purple Heart recipient which is painted in a  
99 manner that is consistent with the standards of the controlling  
100 jurisdiction for other spaces and is prominently outlined with  
101 purple paint to be clearly distinguishable as a parking space  
102 designated for Purple Heart recipients or is posted with a  
103 permanent above-grade sign that bears the symbol of the Purple  
104 Heart and the caption "COMBAT WOUNDED."

105 (2) It is unlawful for a person to stop, stand, or park a  
106 vehicle within, or to obstruct, any such specially designated  
107 and marked Purple Heart recipient parking space unless the  
108 vehicle displays a Purple Heart parking permit or a Purple Heart  
109 license plate issued under s. 320.089 and the vehicle is  
110 transporting the person to whom the displayed permit or plate is  
111 issued. A violation of this section may not be dismissed if the  
112 Purple Heart recipient parking space does not meet the  
113 definition of such space provided in subsection (1) but is  
114 otherwise clearly distinguishable as a designated accessible  
115 parking space for Purple Heart recipients. Only a warning may be  
116 issued for unlawfully parking in a space designated for Purple

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117 Heart recipients if there is no above-grade sign providing such  
118 designation.

119 (a) A law enforcement officer, a parking enforcement  
120 specialist, or the owner or lessee of a space designated for  
121 Purple Heart recipients shall remove a vehicle found in  
122 violation of this section to any lawful parking space or  
123 facility or require the operator or other person in charge of  
124 the vehicle to immediately remove such vehicle from the parking  
125 space. Whenever any vehicle is removed under this section to a  
126 storage lot, garage, or other safe parking space, the cost of  
127 the removal and parking constitutes a lien against the vehicle.

128 (b) The officer or specialist shall charge the operator or  
129 other person in charge of a vehicle in violation of this section  
130 with a noncriminal traffic infraction, punishable as provided in  
131 s. 318.18(16). The owner of a leased vehicle is not responsible  
132 for a violation of this section if the vehicle is registered in  
133 the name of the lessee.

134 (c) The clerk of the court must report all convictions for  
135 violations of this section to the Department of Highway Safety  
136 and Motor Vehicles.

137 (d) A law enforcement officer or a parking enforcement  
138 specialist may demand to be shown a person's Purple Heart  
139 parking permit or license plate and driver license or state  
140 identification card when investigating a potential violation of  
141 this section. If such request is refused, the person in charge  
142 of the vehicle may be charged with resisting an officer without  
143 violence, as provided in s. 843.02.

144 (3) A person chauffeuring a Purple Heart recipient may,  
145 without need for a Purple Heart parking permit or license plate,

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146 stand temporarily in any such designated parking space for the  
147 purpose of loading or unloading the Purple Heart recipient. A  
148 penalty may not be imposed upon the driver for such temporary  
149 standing.

150 (4) (a) A vehicle transporting a Purple Heart recipient may  
151 be parked for a maximum of 30 minutes in any space reserved for  
152 Purple Heart recipients.

153 (b) Notwithstanding paragraph (a), a theme park or an  
154 entertainment complex as defined in s. 509.013(9) which provides  
155 parking in designated areas for Purple Heart recipients may  
156 allow any vehicle transporting a Purple Heart recipient to  
157 remain parked in any space reserved for Purple Heart recipients  
158 throughout the period the theme park is open to the public for  
159 that day.

160 Section 3. Section 316.1969, Florida Statutes, is created  
161 to read:

162 316.1969 Parking violations; designated parking spaces for  
163 Purple Heart recipients.—When evidence is presented in any court  
164 of the fact that a motor vehicle was parked in a properly  
165 designated parking space for Purple Heart recipients in  
166 violation of s. 316.1968, it is prima facie evidence that the  
167 vehicle was parked and left in the space by the person, firm, or  
168 corporation in whose name the vehicle is registered and licensed  
169 according to the records of the department.

170 Section 4. Present subsections (16) through (22) of section  
171 318.18, Florida Statutes, are redesignated as subsections (17)  
172 through (23), respectively, and a new subsection (16) is added  
173 to that section, to read:

174 318.18 Amount of penalties.—The penalties required for a

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175 noncriminal disposition pursuant to s. 318.14 or a criminal  
176 offense listed in s. 318.17 are as follows:

177 (16) One hundred dollars, plus court costs for illegally  
178 parking, under s. 316.1968, in a parking space provided for  
179 Purple Heart recipients. However, this fine must be waived if a  
180 person provides to the law enforcement officer or agency or the  
181 parking enforcement specialist or agency that issued the  
182 citation for such a violation proof that the person committing  
183 the violation has a valid Purple Heart parking permit or license  
184 plate issued under s. 320.089 or a signed affidavit that the  
185 owner of the Purple Heart parking permit or license plate was  
186 present at the time the violation occurred, and that such  
187 parking permit or license plate was valid at the time the  
188 violation occurred. The law enforcement officer or agency or the  
189 parking enforcement specialist or agency, upon determining that  
190 all required documentation has been submitted to verify that  
191 such parking permit or license plate was valid at the time of  
192 the violation, shall sign an affidavit of compliance. Upon  
193 provision of the affidavit of compliance and payment of a  
194 dismissal fee of up to \$7.50 to the clerk of the circuit court  
195 by the person issued a citation, the clerk shall dismiss the  
196 citation. However, the clerk may designate a local governmental  
197 entity to receive the affidavit and dismissal fee, and that  
198 local governmental entity may keep the fee.

199 Section 5. Section 320.089, Florida Statutes, is amended to  
200 read:

201 320.089 Veterans of the United States Armed Forces; members  
202 of National Guard; survivors of Pearl Harbor; Purple Heart medal  
203 recipients; Bronze Star recipients; active or retired United

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204 States Armed Forces reservists; Combat Infantry Badge, Combat  
205 Medical Badge, or Combat Action Badge recipients; Combat Action  
206 Ribbon recipients; Air Force Combat Action Medal recipients;  
207 Distinguished Flying Cross recipients; former prisoners of war;  
208 Korean War Veterans; Vietnam War Veterans; Operation Desert  
209 Shield Veterans; Operation Desert Storm Veterans; Operation  
210 Enduring Freedom Veterans; Operation Iraqi Freedom Veterans;  
211 Women Veterans; World War II Veterans; and Navy Submariners;  
212 special license plates; Purple Heart parking permits; fee.-

213 (1) (a) Each owner or lessee of an automobile or truck for  
214 private use or recreational vehicle as specified in s.  
215 320.08(9) (c) or (d), which is not used for hire or commercial  
216 use, who is a resident of the state and a veteran of the United  
217 States Armed Forces, a Woman Veteran, a World War II Veteran, a  
218 Navy Submariner, an active or retired member of the Florida  
219 National Guard, a survivor of the attack on Pearl Harbor, a  
220 recipient of the Purple Heart medal, a recipient of the Bronze  
221 Star, an active or retired member of any branch of the United  
222 States Armed Forces Reserve, or a recipient of the Combat  
223 Infantry Badge, Combat Medical Badge, Combat Action Badge,  
224 Combat Action Ribbon, Air Force Combat Action Medal, or  
225 Distinguished Flying Cross, upon application to the department,  
226 accompanied by proof of release or discharge from any branch of  
227 the United States Armed Forces, proof of active membership or  
228 retired status in the Florida National Guard, proof of  
229 membership in the Pearl Harbor Survivors Association or proof of  
230 active military duty in Pearl Harbor on December 7, 1941, proof  
231 of being a Purple Heart medal recipient, proof of being a Bronze  
232 Star recipient, proof of active or retired membership in any



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233 branch of the United States Armed Forces Reserve, or proof of  
234 membership in the Combat Infantrymen's Association, Inc., proof  
235 of being a recipient of the Combat Infantry Badge, Combat  
236 Medical Badge, Combat Action Badge, Combat Action Ribbon, Air  
237 Force Combat Action Medal, or Distinguished Flying Cross, and  
238 upon payment of the license tax for the vehicle as provided in  
239 s. 320.08, shall be issued a license plate as provided by s.  
240 320.06 which, in lieu of the serial numbers prescribed by s.  
241 320.06, is stamped with the words "Veteran," "Woman Veteran,"  
242 "WWII Veteran," "Navy Submariner," "National Guard," "Pearl  
243 Harbor Survivor," "Combat-wounded veteran," "Bronze Star," "U.S.  
244 Reserve," "Combat Infantry Badge," "Combat Medical Badge,"  
245 "Combat Action Badge," "Combat Action Ribbon," "Air Force Combat  
246 Action Medal," or "Distinguished Flying Cross," as appropriate,  
247 and a likeness of the related campaign medal or badge, followed  
248 by the serial number of the license plate. Additionally, the  
249 Purple Heart plate may have the words "Purple Heart" stamped on  
250 the plate and the likeness of the Purple Heart medal appearing  
251 on the plate.

252 (b) The military members listed in paragraph (a) are  
253 eligible to be issued special veteran's motorcycle license  
254 plates. The veteran's motorcycle license plate design shall be  
255 the same as the design for the motor vehicle "Veteran" and  
256 "Woman Veteran" special license plate. The word "Veteran" or  
257 "Woman Veteran" shall be displayed at the bottom of the  
258 motorcycle license plate.

259 (c) Notwithstanding any other provision of law to the  
260 contrary, beginning with fiscal year 2002-2003 and annually  
261 thereafter, the first \$100,000 in general revenue generated from

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262 the sale of license plates issued under this section shall be  
263 deposited into the Grants and Donations Trust Fund, as described  
264 in s. 296.38(2), to be used for the purposes established by law  
265 for that trust fund. Any additional general revenue generated  
266 from the sale of such plates shall be deposited into the  
267 Operations and Maintenance Trust Fund within the Department of  
268 Veterans' Affairs and used to support program operations that  
269 benefit veterans or the operation, maintenance, or construction  
270 of domiciliary and nursing homes for veterans, subject to the  
271 requirements of chapter 216.

272 (d) Any revenue generated from the sale of Woman Veteran  
273 license plates must be deposited into the Operations and  
274 Maintenance Trust Fund administered by the Department of  
275 Veterans' Affairs pursuant to s. 20.375(3) and must be used  
276 solely for the purpose of creating and implementing programs to  
277 benefit women veterans. Notwithstanding any provisions of law to  
278 the contrary, an applicant for a Pearl Harbor Survivor license  
279 plate or a Purple Heart license plate who also qualifies for a  
280 disabled veteran's license plate under s. 320.084 shall be  
281 issued the appropriate special license plate without payment of  
282 the license tax imposed by s. 320.08.

283 (2) Each owner or lessee of an automobile or truck for  
284 private use, a truck weighing not more than 7,999 pounds, or a  
285 recreational vehicle as specified in s. 320.08(9)(c) or (d),  
286 which is not used for hire or commercial use who is a resident  
287 of this state and who is a former prisoner of war, or his or her  
288 unremarried surviving spouse, upon application to the  
289 department, shall be issued a license plate as provided in s.  
290 320.06, stamped with the words "Ex-POW" followed by the serial

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291 number. Each application shall be accompanied by proof that the  
292 applicant meets the qualifications specified in paragraph (a) or  
293 paragraph (b).

294 (a) A citizen of the United States who served as a member  
295 of the Armed Forces of the United States or the armed forces of  
296 a nation allied with the United States who was held as a  
297 prisoner of war at such time as the Armed Forces of the United  
298 States were engaged in combat, or his or her unremarried  
299 surviving spouse, may be issued the special license plate  
300 provided for in this subsection without payment of the license  
301 tax imposed by s. 320.08.

302 (b) A person who was serving as a civilian with the consent  
303 of the United States Government, or a person who was a member of  
304 the Armed Forces of the United States while he or she was not a  
305 United States citizen and was held as a prisoner of war when the  
306 Armed Forces of the United States were engaged in combat, or his  
307 or her unremarried surviving spouse, may be issued the special  
308 license plate provided for in this subsection upon payment of  
309 the license tax imposed by s. 320.08.

310 (3) Each owner or lessee of an automobile or truck for  
311 private use, a truck weighing not more than 7,999 pounds, or a  
312 recreational vehicle as specified in s. 320.08(9)(c) or (d),  
313 which is not used for hire or commercial use who is a resident  
314 of this state and who is the unremarried surviving spouse of a  
315 recipient of the Purple Heart medal, upon application to the  
316 department accompanied by the payment of the required fees,  
317 shall be issued a license plate as provided in s. 320.06 which  
318 is stamped with the words "Purple Heart" and the likeness of the  
319 Purple Heart medal followed by the serial number. Each

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320 application shall be accompanied by proof that the applicant is  
321 the unremarried surviving spouse of a recipient of the Purple  
322 Heart medal.

323 (4) The owner or lessee of an automobile or truck for  
324 private use, a truck weighing not more than 7,999 pounds, or a  
325 recreational vehicle as specified in s. 320.08(9)(c) or (d)  
326 which is not used for hire or commercial use who is a resident  
327 of this state and a current or former member of the United  
328 States Armed Forces who was deployed and served in Korea during  
329 the Korean War as defined in s. 1.01(14), upon application to  
330 the department accompanied by proof of active membership or  
331 former active duty status during the Korean War and payment of  
332 the license tax for the vehicle as provided in s. 320.08, shall  
333 be issued a license plate as provided by s. 320.06 which, in  
334 lieu of the registration license number prescribed by s. 320.06,  
335 is stamped with the words "Korean War Veteran" and a likeness of  
336 the Korean Service Medal, followed by the registration license  
337 number of the plate. Proof that the applicant was awarded the  
338 Korean Service Medal is sufficient to establish eligibility for  
339 the license plate.

340 (5) The owner or lessee of an automobile or truck for  
341 private use, a truck weighing not more than 7,999 pounds, or a  
342 recreational vehicle as specified in s. 320.08(9)(c) or (d)  
343 which is not used for hire or commercial use who is a resident  
344 of this state and a current or former member of the United  
345 States military who was deployed and served in Vietnam during  
346 United States military deployment in Indochina, upon application  
347 to the department accompanied by proof of active membership or  
348 former active duty status during these operations and payment of

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349 the license tax for the vehicle as provided in s. 320.08, shall  
350 be issued a license plate as provided by s. 320.06 which, in  
351 lieu of the registration license number prescribed by s. 320.06,  
352 is stamped with the words "Vietnam War Veteran" and a likeness  
353 of the Vietnam Service Medal, followed by the registration  
354 license number of the plate. Proof that the applicant was  
355 awarded the Vietnam Service Medal is sufficient to establish  
356 eligibility for the license plate.

357 (6) The owner or lessee of an automobile or truck for  
358 private use, a truck weighing not more than 7,999 pounds, or a  
359 recreational vehicle as specified in s. 320.08(9)(c) or (d)  
360 which is not used for hire or commercial use who is a resident  
361 of this state and a current or former member of the United  
362 States military who was deployed and served in Saudi Arabia,  
363 Kuwait, or another area of the Persian Gulf during Operation  
364 Desert Shield or Operation Desert Storm; in Afghanistan during  
365 Operation Enduring Freedom; or in Iraq during Operation Iraqi  
366 Freedom, upon application to the department accompanied by proof  
367 of active membership or former active duty status during one of  
368 these operations and payment of the license tax for the vehicle  
369 as provided in s. 320.08, shall be issued a license plate as  
370 provided by s. 320.06 which, in lieu of the registration license  
371 number prescribed by s. 320.06, is stamped with the words  
372 "Operation Desert Shield," "Operation Desert Storm," "Operation  
373 Enduring Freedom," or "Operation Iraqi Freedom," as appropriate,  
374 and a likeness of the related campaign medal followed by the  
375 registration license number of the plate. Proof that the  
376 applicant was awarded the Southwest Asia Service Medal, Iraq  
377 Campaign Medal, Afghanistan Campaign Medal, or Global War on

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378 Terrorism Expeditionary Medal is sufficient to establish  
379 eligibility for the appropriate license plate.

380 (7) (a) Each owner or lessee of an automobile or truck for  
381 private use or a recreational vehicle as specified in s.  
382 320.08(9) (c) or (d), which is not used for hire or commercial  
383 use, who is a resident of this state and a recipient of the  
384 Purple Heart medal, upon application to the department,  
385 accompanied by proof of being a Purple Heart medal recipient,  
386 shall be issued a Purple Heart parking permit for a period of up  
387 to 5 years, which period ends on the applicant's birthday. There  
388 shall be no fee for the Purple Heart parking permit.

389 (b) The Purple Heart parking permit is a placard that can  
390 be placed in a motor vehicle so as to be visible from the front  
391 and rear of the vehicle. One side of the placard must display  
392 the applicant's driver license number or state identification  
393 card number along with a warning that the applicant must have  
394 such identification at all times while using the parking permit.  
395 A validation sticker must also be issued with each Purple Heart  
396 parking permit showing the month and year of expiration on each  
397 side of the placard. Validation stickers must be of the size  
398 specified by the department and must be affixed to the Purple  
399 Heart parking permits. The Purple Heart parking permits must use  
400 the same colors as license plate validations.

401 Section 6. Subsection (4) of section 316.1951, Florida  
402 Statutes, is amended to read:

403 316.1951 Parking for certain purposes prohibited; sale of  
404 motor vehicles; prohibited acts.-

405 (4) A local government may adopt an ordinance to allow the  
406 towing of a motor vehicle parked in violation of this section. A

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407 law enforcement officer, compliance officer, code enforcement  
408 officer from any local government agency, or supervisor of the  
409 department may issue a citation and cause to be immediately  
410 removed at the owner's expense any motor vehicle found in  
411 violation of subsection (1), except as provided in subsections  
412 (2) and (3), or in violation of subsection (5), subsection (6),  
413 subsection (7), or subsection (8), and the owner shall be  
414 assessed a penalty as provided in s. 318.18(22) ~~s. 318.18(21)~~ by  
415 the government agency or authority that orders immediate removal  
416 of the motor vehicle. A motor vehicle removed under this section  
417 shall not be released from an impound or towing and storage  
418 facility before a release form prescribed by the department has  
419 been completed verifying that the fine has been paid to the  
420 government agency or authority that ordered immediate removal of  
421 the motor vehicle. However, the owner may pay towing and storage  
422 charges to the towing and storage facility pursuant to s. 713.78  
423 before payment of the fine or before the release form has been  
424 completed.

425 Section 7. Subsection (7) of section 316.622, Florida  
426 Statutes, is amended to read:

427 316.622 Farm labor vehicles.—

428 (7) A violation of this section is a noncriminal traffic  
429 infraction, punishable as provided in s. 318.18(17) ~~s.~~  
430 ~~318.18(16)~~.

431 Section 8. Section 318.121, Florida Statutes, is amended to  
432 read:

433 318.121 Preemption of additional fees, fines, surcharges,  
434 and costs.—Notwithstanding any general or special law, or  
435 municipal or county ordinance, additional fees, fines,

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436 surcharges, or costs other than the court costs and surcharges  
437 assessed under s. 318.18(11), (13), (19), (20), and (23) ~~s.~~  
438 ~~318.18(11), (13), (18), (19), and (22)~~ may not be added to the  
439 civil traffic penalties assessed under this chapter.

440 Section 9. Subsections (16) through (19) and (21) of  
441 section 318.21, Florida Statutes, are amended to read:

442 318.21 Disposition of civil penalties by county courts.—All  
443 civil penalties received by a county court pursuant to the  
444 provisions of this chapter shall be distributed and paid monthly  
445 as follows:

446 (16) The proceeds from the fines described in s. 318.18(17)  
447 ~~s. 318.18(16)~~ shall be remitted to the law enforcement agency  
448 that issues the citation for a violation of s. 316.622. The  
449 funds must be used for continued education and enforcement of s.  
450 316.622 and other related safety measures contained in chapter  
451 316.

452 (17) Notwithstanding subsections (1) and (2), the proceeds  
453 from the surcharge imposed under s. 318.18(18) ~~s. 318.18(17)~~  
454 shall be distributed as provided in that subsection. This  
455 subsection expires July 1, 2021.

456 (18) Notwithstanding subsections (1) and (2), the proceeds  
457 from the administrative fee imposed under s. 318.18(19) ~~s.~~  
458 ~~318.18(18)~~ shall be distributed as provided in that subsection.

459 (19) Notwithstanding subsections (1) and (2), the proceeds  
460 from the Article V assessment imposed under s. 318.18(20) ~~s.~~  
461 ~~318.18(19)~~ shall be distributed as provided in that subsection.

462 (21) Notwithstanding subsections (1) and (2), the proceeds  
463 from the additional penalties imposed pursuant to s.  
464 318.18(5)(c) and (21) ~~s. 318.18(5)(c) and (20)~~ shall be



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465 distributed as provided in that section.

466 Section 10. Paragraph (b) of subsection (1) of section  
467 395.4036, Florida Statutes, is amended to read:

468 395.4036 Trauma payments.—

469 (1) Recognizing the Legislature's stated intent to provide  
470 financial support to the current verified trauma centers and to  
471 provide incentives for the establishment of additional trauma  
472 centers as part of a system of state-sponsored trauma centers,  
473 the department shall utilize funds collected under s. 318.18 and  
474 deposited into the Emergency Medical Services Trust Fund of the  
475 department to ensure the availability and accessibility of  
476 trauma services throughout the state as provided in this  
477 subsection.

478 (b) Funds collected under s. 318.18(5)(c) and (21) ~~s.~~  
479 ~~318.18(5)(e) and (20)~~ shall be distributed as follows:

480 1. Thirty percent of the total funds collected shall be  
481 distributed to Level II trauma centers operated by a public  
482 hospital governed by an elected board of directors as of  
483 December 31, 2008.

484 2. Thirty-five percent of the total funds collected shall  
485 be distributed to verified trauma centers based on trauma  
486 caseload volume for the most recent calendar year available. The  
487 determination of caseload volume for distribution of funds under  
488 this subparagraph shall be based on the hospital discharge data  
489 for patients who meet the criteria for classification as a  
490 trauma patient reported by each trauma center pursuant to s.  
491 408.061.

492 3. Thirty-five percent of the total funds collected shall  
493 be distributed to verified trauma centers based on severity of

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494 trauma patients for the most recent calendar year available. The  
495 determination of severity for distribution of funds under this  
496 subparagraph shall be based on the department's International  
497 Classification Injury Severity Scores or another statistically  
498 valid and scientifically accepted method of stratifying a trauma  
499 patient's severity of injury, risk of mortality, and resource  
500 consumption as adopted by the department by rule, weighted based  
501 on the costs associated with and incurred by the trauma center  
502 in treating trauma patients. The weighting of scores shall be  
503 established by the department by rule.

504 Section 11. This act shall take effect July 1, 2021.