

By the Committee on Appropriations

576-02415-21

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1 A bill to be entitled
2 An act relating to trust funds; terminating the Public
3 Defenders Revenue Trust Fund within the Justice
4 Administrative Commission; providing for the
5 disposition of balances in and revenues of the trust
6 fund; terminating the Revolving Trust Fund within the
7 Department of Law Enforcement; providing for the
8 disposition of balances in and revenues of the trust
9 fund; repealing s. 27.61, F.S., relating to the Public
10 Defenders Revenue Trust Fund; amending ss. 318.18 and
11 817.568, F.S.; providing for the redirection of
12 certain revenues from the Public Defenders Revenue
13 Trust Fund to the Indigent Criminal Defense Trust Fund
14 to conform to changes made by the act; terminating the
15 Welfare Transition Trust Fund within the Department of
16 Military Affairs; providing for the disposition of
17 balances in and revenues of the trust fund; repealing
18 s. 250.175(5), F.S., relating to the Welfare
19 Transition Trust Fund; terminating the Welfare
20 Transition Trust Fund within the Department of Health;
21 providing for the disposition of balances in and
22 revenues of the trust fund; repealing s. 20.435(8),
23 F.S., relating to the Welfare Transition Trust Fund;
24 providing an effective date.

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26 Be It Enacted by the Legislature of the State of Florida:
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28 Section 1. (1) The Public Defenders Revenue Trust Fund,
29 FLAIR number 20-2-059, within the Justice Administrative

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30 Commission, is terminated.

31 (2) All current balances remaining in, and all revenues of,
32 the trust fund shall be transferred to the Indigent Criminal
33 Defense Trust Fund within the Justice Administrative Commission.

34 (3) The Justice Administrative Commission shall pay any
35 outstanding debts and obligations of the terminated fund as soon
36 as practicable, and the Chief Financial Officer shall close out
37 and remove the terminated fund from the various state accounting
38 systems using generally accepted accounting principles
39 concerning warrants outstanding, assets, and liabilities.

40 Section 2. (1) The Revolving Trust Fund, FLAIR number 71-2-
41 600, within the Department of Law Enforcement, is terminated.

42 (2) All current balances remaining in, and all revenues of,
43 the trust fund shall be transferred to the General Revenue Fund.

44 (3) The Department of Law Enforcement shall pay any
45 outstanding debts and obligations of the terminated fund as soon
46 as practicable, and the Chief Financial Officer shall close out
47 and remove the terminated fund from the various state accounting
48 systems using generally accepted accounting principles
49 concerning warrants outstanding, assets, and liabilities.

50 Section 3. Section 27.61, Florida Statutes, is repealed.

51 Section 4. Upon the expiration and reversion of the
52 amendment made to section 318.18, Florida Statutes, pursuant to
53 section 63 of chapter 2020-114, Laws of Florida, paragraph (c)
54 of subsection (19) of section 318.18, Florida Statutes, is
55 amended to read:

56 318.18 Amount of penalties.—The penalties required for a
57 noncriminal disposition pursuant to s. 318.14 or a criminal
58 offense listed in s. 318.17 are as follows:

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59 (19) In addition to any penalties imposed, an Article V
60 assessment of \$10 must be paid for all noncriminal moving and
61 nonmoving violations under chapters 316, 320, and 322. The
62 assessment is not revenue for purposes of s. 28.36 and may not
63 be used in establishing the budget of the clerk of the court
64 under that section or s. 28.35. Of the funds collected under
65 this subsection:

66 (c) The sum of \$1.67 shall be deposited in the Indigent
67 Criminal Defense Trust Fund ~~Public Defenders Revenue Trust Fund~~
68 for use by the public defenders.

69 Section 5. Upon the expiration and reversion of the
70 amendment made to section 817.568, Florida Statutes, pursuant to
71 section 63 of chapter 2020-114, Laws of Florida, paragraph (b)
72 of subsection (12) of section 817.568, Florida Statutes, is
73 amended to read:

74 817.568 Criminal use of personal identification
75 information.—

76 (12) In addition to any sanction imposed when a person
77 pleads guilty or nolo contendere to, or is found guilty of,
78 regardless of adjudication, a violation of this section, the
79 court shall impose a surcharge of \$1,001.

80 (b) The sum of \$250 of the surcharge shall be deposited
81 into the State Attorneys Revenue Trust Fund for the purpose of
82 funding prosecutions of offenses relating to the criminal use of
83 personal identification information. The sum of \$250 of the
84 surcharge shall be deposited into the Indigent Criminal Defense
85 Trust Fund ~~Public Defenders Revenue Trust Fund~~ for the purposes
86 of indigent criminal defense related to the criminal use of
87 personal identification information.

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88 Section 6. (1) The Welfare Transition Trust Fund within the
89 Department of Military Affairs, FLAIR number 62-2-401, is
90 terminated.

91 (2) All current balances remaining in, and all revenues of,
92 the trust fund, shall be transferred to the Federal Grants Trust
93 Fund, FLAIR number 62-2-261.

94 (3) The Department of Military Affairs shall pay any
95 outstanding debts and obligations of the terminated fund as soon
96 as practicable, and the Chief Financial Officer shall close out
97 and remove the terminated fund from the various state accounting
98 systems using generally accepted accounting principles
99 concerning warrants outstanding, assets, and liabilities.

100 Section 7. Subsection (5) of section 250.175, Florida
101 Statutes, is repealed.

102 Section 8. (1) The Welfare Transition Trust Fund within the
103 Department of Health, FLAIR number 64-2-401, is terminated.

104 (2) All current balances remaining in, and all revenues of,
105 the trust fund, shall be transferred to the Federal Grants Trust
106 Fund, FLAIR number 64-2-261.

107 (3) The Department of Health shall pay any outstanding
108 debts and obligations of the terminated fund as soon as
109 practicable, and the Chief Financial Officer shall close out and
110 remove the terminated fund from the various state accounting
111 systems using generally accepted accounting principles
112 concerning warrants outstanding, assets, and liabilities.

113 Section 9. Subsection (8) of section 20.435, Florida
114 Statutes, is repealed.

115 Section 10. This act shall take effect July 1, 2021.