

By Senator Arrington

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1 A bill to be entitled
 2 An act relating to first responders; amending s.
 3 401.113, F.S.; providing that funds in the First
 4 Responders Trust Fund may be used for grants to
 5 support first responder mental health; amending s.
 6 401.345, F.S.; renaming the Emergency Medical Services
 7 Trust Fund as the First Responders Trust Fund;
 8 amending ss. 316.0083, 316.061, 316.192, and 318.18,
 9 F.S.; revising the amount of fines for certain traffic
 10 violations to increase the amount of funding for the
 11 First Responders Trust Fund; amending ss. 20.435,
 12 316.306, 318.14, 318.21, 320.0801, 320.08058, 395.401,
 13 395.403, 395.4036, 401.2715, 401.34, 401.411, 401.421,
 14 401.465, and 938.07, F.S.; conforming provisions to
 15 changes made by the act; providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Section 401.113, Florida Statutes, is amended to
 20 read:

21 401.113 Department; powers and duties.—

22 (1) Funds deposited into the First Responders ~~Emergency~~
 23 ~~Medical Services~~ Trust Fund as provided by ss. 316.061, 316.192,
 24 318.21, and 938.07 must be used solely to improve and expand
 25 prehospital emergency medical services in the state.

26 (2) The department shall annually dispense funds contained
 27 in the First Responders ~~Emergency Medical Services~~ Trust Fund as
 28 follows:

29 (a) Forty-five percent of such moneys must be divided among

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30 the counties according to the proportion of the combined amount
31 deposited in the trust fund from the county. These funds may not
32 be used to match grant funds as identified in paragraph (b). An
33 individual board of county commissioners may distribute these
34 funds to emergency medical services organizations and youth
35 athletic organizations within the county, as it deems
36 appropriate.

37 (b) Forty percent of such moneys must be used by the
38 department for making matching grants to local agencies,
39 municipalities, emergency medical services organizations, and
40 youth athletic organizations for the purpose of conducting
41 research, increasing existing levels of emergency medical
42 services, evaluation, community education, injury-prevention
43 programs, ~~and~~ training in cardiopulmonary resuscitation and
44 other lifesaving and first aid techniques, and first responder
45 mental health.

46 1. At least 90 percent of these moneys must be made
47 available on a cash matching basis. A grant made under this
48 subparagraph must be contingent upon the recipient providing a
49 cash sum equal to 25 percent of the total department-approved
50 grant amount.

51 2. No more than 10 percent of these moneys must be made
52 available to rural emergency medical services, and
53 notwithstanding the restrictions specified in subsection (1),
54 these moneys may be used for improvement, expansion, or
55 continuation of services provided. A grant made under this
56 subparagraph must be contingent upon the recipient providing a
57 cash sum equal to no more than 10 percent of the total
58 department-approved grant amount.

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The department shall develop procedures and standards for grant disbursement under this paragraph based on the need for emergency medical services, the requirements of the population to be served, and the objectives of the state emergency medical services plan.

(c) Fifteen percent of such moneys must be used by the department for capital equipment outlay, personnel, community education, evaluation, and other costs associated with the administration of this chapter. Any moneys not annually used for this purpose must be used for making additional rural grant funds available.

Section 2. Section 401.345, Florida Statutes, is amended to read:

401.345 First Responders ~~Emergency Medical Services~~ Trust Fund.—

(1) There is created the First Responders ~~Emergency Medical Services~~ Trust Fund in the State Treasury, which shall be used exclusively for those purposes provided by law.

(2) Any funds appropriated in the General Appropriations Act for functions related to emergency medical services, and any other funds that become available for functions related to emergency medical services, must be deposited in the First Responders ~~Emergency Medical Services~~ Trust Fund.

Section 3. Paragraph (b) of subsection (1) of section 316.0083, Florida Statutes, is amended to read:

316.0083 Mark Wandall Traffic Safety Program; administration; report.—

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88 (b)1.a. Within 30 days after a violation, notification must
89 be sent to the registered owner of the motor vehicle involved in
90 the violation specifying the remedies available under s. 318.14
91 and that the violator must pay the penalty of \$158 to the
92 department, county, or municipality, or furnish an affidavit in
93 accordance with paragraph (d), or request a hearing within 60
94 days following the date of the notification in order to avoid
95 the issuance of a traffic citation. The notification must be
96 sent by first-class mail. The mailing of the notice of violation
97 constitutes notification.

98 b. Included with the notification to the registered owner
99 of the motor vehicle involved in the infraction must be a notice
100 that the owner has the right to review the photographic or
101 electronic images or the streaming video evidence that
102 constitutes a rebuttable presumption against the owner of the
103 vehicle. The notice must state the time and place or Internet
104 location where the evidence may be examined and observed.

105 c. Notwithstanding any other provision of law, a person who
106 receives a notice of violation under this section may request a
107 hearing within 60 days following the notification of violation
108 or pay the penalty pursuant to the notice of violation, but a
109 payment or fee may not be required before the hearing requested
110 by the person. The notice of violation must be accompanied by,
111 or direct the person to a website that provides, information on
112 the person's right to request a hearing and on all court costs
113 related thereto and a form to request a hearing. As used in this
114 sub-subparagraph, the term "person" includes a natural person,
115 registered owner or co-owner of a motor vehicle, or person
116 identified on an affidavit as having care, custody, or control

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117 of the motor vehicle at the time of the violation.

118 d. If the registered owner or co-owner of the motor
119 vehicle, or the person designated as having care, custody, or
120 control of the motor vehicle at the time of the violation, or an
121 authorized representative of the owner, co-owner, or designated
122 person, initiates a proceeding to challenge the violation
123 pursuant to this paragraph, such person waives any challenge or
124 dispute as to the delivery of the notice of violation.

125 2. Penalties assessed and collected by the department,
126 county, or municipality authorized to collect the funds provided
127 for in this paragraph, less the amount retained by the county or
128 municipality pursuant to subparagraph 3., shall be paid to the
129 Department of Revenue weekly. Payment by the department, county,
130 or municipality to the state shall be made by means of
131 electronic funds transfers. In addition to the payment, summary
132 detail of the penalties remitted shall be reported to the
133 Department of Revenue.

134 3. Penalties to be assessed and collected by the
135 department, county, or municipality are as follows:

136 a. One hundred sixty-eight ~~fifty-eight~~ dollars for a
137 violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver
138 failed to stop at a traffic signal if enforcement is by the
139 department's traffic infraction enforcement officer. One hundred
140 dollars shall be remitted to the Department of Revenue for
141 deposit into the General Revenue Fund, \$20 ~~\$10~~ shall be remitted
142 to the Department of Revenue for deposit into the Department of
143 Health First Responders ~~Emergency Medical Services~~ Trust Fund,
144 \$3 shall be remitted to the Department of Revenue for deposit
145 into the Brain and Spinal Cord Injury Trust Fund, and \$45 shall

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146 be distributed to the municipality in which the violation
147 occurred, or, if the violation occurred in an unincorporated
148 area, to the county in which the violation occurred. Funds
149 deposited into the Department of Health First Responders
150 ~~Emergency Medical Services~~ Trust Fund under this sub-
151 subparagraph shall be distributed as provided in s. 395.4036(1).
152 Proceeds of the infractions in the Brain and Spinal Cord Injury
153 Trust Fund shall be distributed quarterly to the Miami Project
154 to Cure Paralysis and used for brain and spinal cord research.

155 b. One hundred sixty-eight ~~fifty-eight~~ dollars for a
156 violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver
157 failed to stop at a traffic signal if enforcement is by a county
158 or municipal traffic infraction enforcement officer. Seventy
159 dollars shall be remitted by the county or municipality to the
160 Department of Revenue for deposit into the General Revenue Fund,
161 \$20 ~~\$10~~ shall be remitted to the Department of Revenue for
162 deposit into the Department of Health First Responders ~~Emergency~~
163 ~~Medical Services~~ Trust Fund, \$3 shall be remitted to the
164 Department of Revenue for deposit into the Brain and Spinal Cord
165 Injury Trust Fund, and \$75 shall be retained by the county or
166 municipality enforcing the ordinance enacted pursuant to this
167 section. Funds deposited into the Department of Health First
168 Responders ~~Emergency Medical Services~~ Trust Fund under this sub-
169 subparagraph shall be distributed as provided in s. 395.4036(1).
170 Proceeds of the infractions in the Brain and Spinal Cord Injury
171 Trust Fund shall be distributed quarterly to the Miami Project
172 to Cure Paralysis and used for brain and spinal cord research.

173 4. An individual may not receive a commission from any
174 revenue collected from violations detected through the use of a

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175 traffic infraction detector. A manufacturer or vendor may not
176 receive a fee or remuneration based upon the number of
177 violations detected through the use of a traffic infraction
178 detector.

179 Section 4. Subsection (1) of section 316.061, Florida
180 Statutes, is amended to read:

181 316.061 Crashes involving damage to vehicle or property.—

182 (1) The driver of any vehicle involved in a crash resulting
183 only in damage to a vehicle or other property which is driven or
184 attended by any person shall immediately stop such vehicle at
185 the scene of such crash or as close thereto as possible, and
186 shall forthwith return to, and in every event shall remain at,
187 the scene of the crash until he or she has fulfilled the
188 requirements of s. 316.062. A person who violates this
189 subsection commits a misdemeanor of the second degree,
190 punishable as provided in s. 775.082 or s. 775.083.

191 Notwithstanding any other provision of this section, \$10 ~~\$5~~
192 shall be added to a fine imposed pursuant to this section, which
193 \$10 ~~\$5~~ shall be deposited in the First Responders ~~Emergency~~
194 ~~Medical Services~~ Trust Fund.

195 Section 5. Subsection (4) of section 316.192, Florida
196 Statutes, is amended to read:

197 316.192 Reckless driving.—

198 (4) Notwithstanding any other provision of this section,
199 \$10 ~~\$5~~ shall be added to a fine imposed pursuant to this
200 section. The clerk shall remit the \$10 ~~\$5~~ to the Department of
201 Revenue for deposit in the First Responders ~~Emergency Medical~~
202 ~~Services~~ Trust Fund.

203 Section 6. Paragraph (i) of subsection (3), paragraph (c)

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204 of subsection (5), paragraphs (a) and (e) of subsection (16),
205 and subsection (21) of section 318.18, Florida Statutes, are
206 amended to read:

207 318.18 Amount of penalties.—The penalties required for a
208 noncriminal disposition pursuant to s. 318.14 or a criminal
209 offense listed in s. 318.17 are as follows:

210 (3)

211 (i) A person cited for a second or subsequent conviction of
212 speed exceeding the limit by 30 miles per hour and above within
213 a 12-month period shall pay a fine that is double the amount
214 listed in paragraph (b). For purposes of this paragraph, the
215 term "conviction" means a finding of guilt as a result of a jury
216 verdict, nonjury trial, or entry of a plea of guilty. Moneys
217 received from the increased fine imposed by this paragraph shall
218 be remitted to the Department of Revenue and deposited into the
219 Department of Health First Responders ~~Emergency Medical Services~~
220 Trust Fund to provide financial support to certified trauma
221 centers to assure the availability and accessibility of trauma
222 services throughout the state. Funds deposited into the First
223 Responders ~~Emergency Medical Services~~ Trust Fund under this
224 section shall be allocated as follows:

225 1. Fifty percent shall be allocated equally among all Level
226 I, Level II, and pediatric trauma centers in recognition of
227 readiness costs for maintaining trauma services.

228 2. Fifty percent shall be allocated among Level I, Level
229 II, and pediatric trauma centers based on each center's relative
230 volume of trauma cases as calculated using the hospital
231 discharge data collected pursuant to s. 408.061.

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233 (c) In addition to the penalty under paragraph (a) or
234 paragraph (b), \$130 ~~\$65~~ for a violation of s. 316.172(1) (a) or
235 (b). If the alleged offender is found to have committed the
236 offense, the court shall impose the civil penalty under
237 paragraph (a) or paragraph (b) plus an additional \$130 ~~\$65~~. The
238 additional \$130 ~~\$65~~ collected under this paragraph shall be
239 remitted to the Department of Revenue for deposit into the First
240 Responders ~~Emergency Medical Services~~ Trust Fund of the
241 Department of Health to be used as provided in s. 395.4036. If a
242 violation of s. 316.172(1) (a) or (b) is enforced by a school bus
243 infraction detection system pursuant to s. 316.173, the
244 additional amount imposed on a notice of violation, on a uniform
245 traffic citation, or by the court under this paragraph must be
246 \$25, in lieu of the additional \$130 ~~\$65~~, and must be remitted to
247 the participating school district and used pursuant to s.
248 316.173(7).

249 (16) (a)1. One hundred and ninety-three ~~fifty-eight~~ dollars
250 for a violation of s. 316.074(1) or s. 316.075(1) (c)1. when a
251 driver has failed to stop at a traffic signal and when enforced
252 by a law enforcement officer. Sixty dollars shall be distributed
253 as provided in s. 318.21, \$30 shall be distributed to the
254 General Revenue Fund, \$3 shall be remitted to the Department of
255 Revenue for deposit into the Brain and Spinal Cord Injury Trust
256 Fund, and the remaining \$130 ~~\$65~~ shall be remitted to the
257 Department of Revenue for deposit into the First Responders
258 ~~Emergency Medical Services~~ Trust Fund of the Department of
259 Health.

260 2. One hundred and sixty-eight ~~fifty-eight~~ dollars for a
261 violation of s. 316.074(1) or s. 316.075(1) (c)1. when a driver

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262 has failed to stop at a traffic signal and when enforced by the
263 department's traffic infraction enforcement officer. One hundred
264 dollars shall be remitted to the Department of Revenue for
265 deposit into the General Revenue Fund, \$45 shall be distributed
266 to the county for any violations occurring in any unincorporated
267 areas of the county or to the municipality for any violations
268 occurring in the incorporated boundaries of the municipality in
269 which the infraction occurred, \$20 ~~\$10~~ shall be remitted to the
270 Department of Revenue for deposit into the Department of Health
271 First Responders ~~Emergency Medical Services~~ Trust Fund for
272 distribution as provided in s. 395.4036(1), and \$3 shall be
273 remitted to the Department of Revenue for deposit into the Brain
274 and Spinal Cord Injury Trust Fund.

275 3. One hundred and sixty-eight ~~fifty-eight~~ dollars for a
276 violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver
277 has failed to stop at a traffic signal and when enforced by a
278 county's or municipality's traffic infraction enforcement
279 officer. Seventy-five dollars shall be distributed to the county
280 or municipality issuing the traffic citation, \$70 shall be
281 remitted to the Department of Revenue for deposit into the
282 General Revenue Fund, \$20 ~~\$10~~ shall be remitted to the
283 Department of Revenue for deposit into the Department of Health
284 First Responders ~~Emergency Medical Services~~ Trust Fund for
285 distribution as provided in s. 395.4036(1), and \$3 shall be
286 remitted to the Department of Revenue for deposit into the Brain
287 and Spinal Cord Injury Trust Fund.

288 (e) Funds deposited into the Department of Health First
289 Responders ~~Emergency Medical Services~~ Trust Fund under this
290 subsection shall be distributed as provided in s. 395.4036(1).

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291 (21) In addition to any other penalty, \$130 ~~\$65~~ for a
 292 violation of s. 316.191, prohibiting racing on highways, street
 293 takeovers, and stunt driving, or s. 316.192, prohibiting
 294 reckless driving. The additional \$130 ~~\$65~~ collected under this
 295 subsection shall be remitted to the Department of Revenue for
 296 deposit into the First Responders ~~Emergency Medical Services~~
 297 Trust Fund of the Department of Health to be used as provided in
 298 s. 395.4036.

299 Section 7. Subsection (11) of section 20.435, Florida
 300 Statutes, is amended to read:

301 20.435 Department of Health; trust funds.—The following
 302 trust funds shall be administered by the Department of Health:

303 (11) FIRST RESPONDERS ~~EMERGENCY MEDICAL SERVICES~~ TRUST
 304 FUND.—

305 (a) Funds to be credited to and uses of the trust fund
 306 shall be administered in accordance with ss. 318.14, 318.18,
 307 318.21, 395.403, and 395.4036 and parts I and II of chapter 401.

308 (b) Notwithstanding the provisions of s. 216.301 and
 309 pursuant to s. 216.351, any balance in the trust fund at the end
 310 of any fiscal year shall remain in the trust fund at the end of
 311 the year and shall be available for carrying out the purposes of
 312 the trust fund.

313 Section 8. Subsection (5) of section 316.306, Florida
 314 Statutes, is amended to read:

315 316.306 School and work zones; prohibition on the use of a
 316 wireless communications device in a handheld manner.—

317 (5) Notwithstanding s. 318.21, all proceeds collected
 318 pursuant to s. 318.18 for violations of this section must be
 319 remitted to the Department of Revenue for deposit into the First

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320 Responders ~~Emergency Medical Services~~ Trust Fund of the
321 Department of Health.

322 Section 9. Subsection (5) of section 318.14, Florida
323 Statutes, is amended to read:

324 318.14 Noncriminal traffic infractions; exception;
325 procedures.—

326 (5) Any person electing to appear before the designated
327 official or who is required to appear shall be deemed to have
328 waived his or her right to the civil penalty provisions of s.
329 318.18. The official, after a hearing, shall make a
330 determination as to whether an infraction has been committed. If
331 the commission of an infraction has been proven, the official
332 may impose a civil penalty not to exceed \$500, except that in
333 cases involving unlawful speed in a school zone or involving
334 unlawful speed in a construction zone, the civil penalty may not
335 exceed \$1,000; or require attendance at a driver improvement
336 school, or both. If the person is required to appear before the
337 designated official pursuant to s. 318.19(1) and is found to
338 have committed the infraction, the designated official shall
339 impose a civil penalty of \$1,000 in addition to any other
340 penalties and the person's driver license shall be suspended for
341 6 months. If the person is required to appear before the
342 designated official pursuant to s. 318.19(1) and is found to
343 have committed the infraction against a vulnerable road user as
344 defined in s. 316.027(1), the designated official shall impose a
345 civil penalty of not less than \$5,000 in addition to any other
346 penalties, the person's driver license shall be suspended for 1
347 year, and the person shall be required to attend a department-
348 approved driver improvement course relating to the rights of

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349 vulnerable road users relative to vehicles on the roadway as
350 provided in s. 322.0261(2). If the person is required to appear
351 before the designated official pursuant to s. 318.19(2) and is
352 found to have committed the infraction, the designated official
353 shall impose a civil penalty of \$500 in addition to any other
354 penalties and the person's driver license shall be suspended for
355 3 months. If the person is required to appear before the
356 designated official pursuant to s. 318.19(2) and is found to
357 have committed the infraction against a vulnerable road user as
358 defined in s. 316.027(1), the designated official shall impose a
359 civil penalty of not less than \$1,500 in addition to any other
360 penalties, the person's driver license shall be suspended for 3
361 months, and the person shall be required to attend a department-
362 approved driver improvement course relating to the rights of
363 vulnerable road users relative to vehicles on the roadway as
364 provided in s. 322.0261(2). If the official determines that no
365 infraction has been committed, no costs or penalties shall be
366 imposed and any costs or penalties that have been paid shall be
367 returned. Moneys received from the mandatory civil penalties
368 imposed pursuant to this subsection upon persons required to
369 appear before a designated official pursuant to s. 318.19(1) or
370 (2) shall be remitted to the Department of Revenue and deposited
371 into the Department of Health First Responders ~~Emergency Medical~~
372 ~~Services~~ Trust Fund to provide financial support to certified
373 trauma centers to assure the availability and accessibility of
374 trauma services throughout the state. Funds deposited into the
375 First Responders ~~Emergency Medical Services~~ Trust Fund under
376 this section shall be allocated as follows:
377 (a) Fifty percent shall be allocated equally among all

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378 Level I, Level II, and pediatric trauma centers in recognition
379 of readiness costs for maintaining trauma services.

380 (b) Fifty percent shall be allocated among Level I, Level
381 II, and pediatric trauma centers based on each center's relative
382 volume of trauma cases as calculated using the hospital
383 discharge data collected pursuant to s. 408.061.

384 Section 10. Paragraph (b) of subsection (2) and subsection
385 (15) of section 318.21, Florida Statutes, are amended to read:

386 318.21 Disposition of civil penalties by county courts.—All
387 civil penalties received by a county court pursuant to the
388 provisions of this chapter shall be distributed and paid monthly
389 as follows:

390 (2) Of the remainder:

391 (b) Seven and two-tenths percent shall be remitted to the
392 Department of Revenue for deposit in the First Responders
393 ~~Emergency Medical Services~~ Trust Fund for the purposes set forth
394 in s. 401.113.

395 (15) Of the additional fine assessed under s. 318.18(3)(f)
396 for a violation of s. 316.1893, 50 percent of the moneys
397 received from the fines shall be appropriated to the Agency for
398 Health Care Administration as general revenue to provide an
399 enhanced Medicaid payment to nursing homes that serve Medicaid
400 recipients with brain and spinal cord injuries. The remaining 50
401 percent of the moneys received from the enhanced fine imposed
402 under s. 318.18(3)(f) shall be remitted to the Department of
403 Revenue and deposited into the Department of Health First
404 Responders ~~Emergency Medical Services~~ Trust Fund to provide
405 financial support to certified trauma centers in the counties
406 where enhanced penalty zones are established to ensure the

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407 availability and accessibility of trauma services. Funds
408 deposited into the First Responders ~~Emergency Medical Services~~
409 Trust Fund under this subsection shall be allocated as follows:

410 (a) Fifty percent shall be allocated equally among all
411 Level I, Level II, and pediatric trauma centers in recognition
412 of readiness costs for maintaining trauma services.

413 (b) Fifty percent shall be allocated among Level I, Level
414 II, and pediatric trauma centers based on each center's relative
415 volume of trauma cases as calculated using the hospital
416 discharge data collected pursuant to s. 408.061.

417 Section 11. Subsection (1) of section 320.0801, Florida
418 Statutes, is amended to read:

419 320.0801 Additional license tax on certain vehicles.—

420 (1) In addition to the license taxes specified in s. 320.08
421 and in subsection (2), there is hereby levied and imposed an
422 annual license tax of 10 cents for the operation of a motor
423 vehicle, as defined in s. 320.01, and moped, as defined in s.
424 316.003, which tax shall be paid to the department or its agent
425 upon the registration or renewal of registration of the vehicle.
426 Notwithstanding s. 320.20, revenues collected from the tax
427 imposed in this subsection shall be deposited in the First
428 Responders ~~Emergency Medical Services~~ Trust Fund and used solely
429 for the purpose of carrying out ss. 395.401, 395.4015, 395.404,
430 and 395.4045 and s. 11, chapter 87-399, Laws of Florida.

431 Section 12. Paragraph (b) of subsection (118) of section
432 320.08058, Florida Statutes, is amended to read:

433 320.08058 Specialty license plates.—

434 (118) SUPPORT HEALTHCARE HEROES LICENSE PLATES.—

435 (b) The annual use fees from the sale of the plate shall be

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436 distributed annually into the First Responders ~~Emergency Medical~~
437 ~~Services~~ Trust Fund within the Department of Health to provide
438 financial support for prehospital emergency medical services
439 pursuant to s. 401.113.

440 Section 13. Subsection (3) of section 395.401, Florida
441 Statutes, is amended to read:

442 395.401 Trauma services system plans; approval of trauma
443 centers and pediatric trauma centers; procedures; renewal.-

444 (3) The department may withdraw local or regional agency
445 authority, prescribe corrective actions, or use the
446 administrative remedies as provided in s. 395.1065 for the
447 violation of any provision of this section and ss. 395.4015,
448 395.402, 395.4025, 395.403, 395.404, and 395.4045 or rules
449 adopted thereunder. All amounts collected pursuant to this
450 subsection shall be deposited into the First Responders
451 ~~Emergency Medical Services~~ Trust Fund provided in s. 401.34.

452 Section 14. Subsections (1) and (2) of section 395.403,
453 Florida Statutes, are amended to read:

454 395.403 Reimbursement of trauma centers.-

455 (1) All verified trauma centers shall be considered
456 eligible to receive state funding when state funds are
457 specifically appropriated for state-sponsored trauma centers in
458 the General Appropriations Act. ~~Effective July 1, 2010,~~ The
459 department shall make payments from the First Responders
460 ~~Emergency Medical Services~~ Trust Fund under s. 20.435 to the
461 trauma centers. Payments shall be in equal amounts for the
462 trauma centers approved by the department as of July 1 of the
463 fiscal year in which funding is appropriated. In the event a
464 trauma center does not maintain its status as a trauma center

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465 for any state fiscal year in which such funding is appropriated,
466 the trauma center shall repay the state for the portion of the
467 year during which it was not a trauma center.

468 (2) Trauma centers eligible to receive distributions from
469 the First Responders ~~Emergency Medical Services~~ Trust Fund under
470 s. 20.435 in accordance with subsection (1) may request that
471 such funds be used as intergovernmental transfer funds in the
472 Medicaid program.

473 Section 15. Subsections (1) and (2) of section 395.4036,
474 Florida Statutes, are amended to read:

475 395.4036 Trauma payments.—

476 (1) Recognizing the Legislature's stated intent to provide
477 financial support to the current verified trauma centers and to
478 provide incentives for the establishment of additional trauma
479 centers as part of a system of state-sponsored trauma centers,
480 the department shall utilize funds collected under s. 318.18 and
481 deposited into the First Responders ~~Emergency Medical Services~~
482 Trust Fund of the department to ensure the availability and
483 accessibility of trauma services throughout the state as
484 provided in this subsection.

485 (a) Funds collected under s. 318.18(16) shall be
486 distributed as follows:

487 1. Twenty percent of the total funds collected during the
488 state fiscal year shall be distributed to verified trauma
489 centers that have a local funding contribution as of December
490 31. Distribution of funds under this subparagraph shall be based
491 on trauma caseload volume for the most recent calendar year
492 available.

493 2. Forty percent of the total funds collected shall be

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494 distributed to verified trauma centers based on trauma caseload
495 volume for the most recent calendar year available. The
496 determination of caseload volume for distribution of funds under
497 this subparagraph shall be based on the hospital discharge data
498 for patients who meet the criteria for classification as a
499 trauma patient reported by each trauma center pursuant to s.
500 408.061.

501 3. Forty percent of the total funds collected shall be
502 distributed to verified trauma centers based on severity of
503 trauma patients for the most recent calendar year available. The
504 determination of severity for distribution of funds under this
505 subparagraph shall be based on the department's International
506 Classification Injury Severity Scores or another statistically
507 valid and scientifically accepted method of stratifying a trauma
508 patient's severity of injury, risk of mortality, and resource
509 consumption as adopted by the department by rule, weighted based
510 on the costs associated with and incurred by the trauma center
511 in treating trauma patients. The weighting of scores shall be
512 established by the department by rule.

513 (b) Funds collected under s. 318.18(5)(c) and (21) shall be
514 distributed as follows:

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

519 2. Thirty-five percent of the total funds collected shall
520 be distributed to verified trauma centers based on trauma
521 caseload volume for the most recent calendar year available. The
522 determination of caseload volume for distribution of funds under

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523 this subparagraph shall be based on the hospital discharge data
524 for patients who meet the criteria for classification as a
525 trauma patient reported by each trauma center pursuant to s.
526 408.061.

527 3. Thirty-five percent of the total funds collected shall
528 be distributed to verified trauma centers based on severity of
529 trauma patients for the most recent calendar year available. The
530 determination of severity for distribution of funds under this
531 subparagraph shall be based on the department's International
532 Classification Injury Severity Scores or another statistically
533 valid and scientifically accepted method of stratifying a trauma
534 patient's severity of injury, risk of mortality, and resource
535 consumption as adopted by the department by rule, weighted based
536 on the costs associated with and incurred by the trauma center
537 in treating trauma patients. The weighting of scores shall be
538 established by the department by rule.

539 (2) Funds deposited in the department's First Responders
540 ~~Emergency Medical Services~~ Trust Fund for verified trauma
541 centers may be used to maximize the receipt of federal funds
542 that may be available for such trauma centers. Notwithstanding
543 this section and s. 318.14, distributions to trauma centers may
544 be adjusted in a manner to ensure that total payments to trauma
545 centers represent the same proportional allocation as set forth
546 in this section and s. 318.14. For purposes of this section and
547 s. 318.14, total funds distributed to trauma centers may include
548 revenue from the First Responders ~~Emergency Medical Services~~
549 Trust Fund and federal funds for which revenue from the
550 Administrative Trust Fund is used to meet state or local
551 matching requirements. Funds collected under ss. 318.14 and

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552 318.18 and deposited in the First Responders ~~Emergency Medical~~
553 ~~Services~~ Trust Fund of the department shall be distributed to
554 trauma centers on a quarterly basis using the most recent
555 calendar year data available. Such data shall not be used for
556 more than four quarterly distributions unless there are
557 extenuating circumstances as determined by the department, in
558 which case the most recent calendar year data available shall
559 continue to be used and appropriate adjustments shall be made as
560 soon as the more recent data becomes available.

561 Section 16. Subsection (2) of section 401.2715, Florida
562 Statutes, is amended to read:

563 401.2715 Recertification training of emergency medical
564 technicians and paramedics.—

565 (2) Any individual, institution, school, corporation, or
566 governmental entity may conduct emergency medical technician or
567 paramedic recertification training upon application to the
568 department and payment of a nonrefundable fee to be deposited
569 into the First Responders ~~Emergency Medical Services~~ Trust Fund.
570 Institutions conducting department-approved educational programs
571 as provided in this chapter and licensed ambulance services are
572 exempt from the application process and payment of fees. The
573 department shall adopt rules for the application and payment of
574 a fee not to exceed the actual cost of administering this
575 approval process.

576 Section 17. Subsection (1) of section 401.34, Florida
577 Statutes, is amended to read:

578 401.34 Fees.—

579 (1) Each organization subject to this part must pay to the
580 department the following nonrefundable fees, and these fees must

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581 be deposited into the First Responders ~~Emergency Medical~~
582 ~~Services~~ Trust Fund to be applied solely for salaries and
583 expenses of the department incurred in implementing and
584 enforcing this part:

585 (a) Basic life support service license application: \$660,
586 to be paid biennially.

587 (b) Advanced life support service license application:
588 \$1,375, to be paid biennially.

589 (c) Original or renewal vehicle permit application for
590 basic or advanced life support: \$25, to be paid biennially.

591 (d) Air ambulance service application: \$1,375, to be paid
592 biennially.

593 (e) Original or renewal aircraft permit application for air
594 ambulance: \$25, to be paid biennially.

595 Section 18. Subsection (8) of section 401.411, Florida
596 Statutes, is amended to read:

597 401.411 Disciplinary action; penalties.—

598 (8) All amounts collected under this section must be
599 deposited into the First Responders ~~Emergency Medical Services~~
600 Trust Fund.

601 Section 19. Paragraph (b) of subsection (2) of section
602 401.421, Florida Statutes, is amended to read:

603 401.421 Injunctive relief; cease and desist notice; civil
604 penalty; enforcement.—

605 (2)

606 (b) In addition to or in lieu of any remedy provided in
607 paragraph (a), the department may seek the imposition of a civil
608 penalty by the circuit court for any violation for which the
609 department may issue a notice to cease and desist under

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610 paragraph (a). The civil penalty must be no less than \$500 and
611 no more than \$5,000 for each offense. The court may, in addition
612 to any other remedy it finds appropriate, award to the
613 prevailing party court costs and a reasonable attorney's fee,
614 and, if the department prevails, the court may also award
615 reasonable costs of investigation. All amounts collected by the
616 department under this paragraph must be deposited into the First
617 Responders ~~Emergency Medical Services~~ Trust Fund.

618 Section 20. Paragraph (e) of subsection (4) of section
619 401.465, Florida Statutes, is amended to read:

620 401.465 911 public safety telecommunicator certification.—

621 (4) FEES.—

622 (e) Fees collected under this section shall be deposited
623 into the First Responders ~~Emergency Medical Services~~ Trust Fund
624 and used solely for salaries and expenses of the department
625 incurred in administering this section.

626 Section 21. Section 938.07, Florida Statutes, is amended to
627 read:

628 938.07 Driving or boating under the influence.—

629 Notwithstanding any other provision of s. 316.193 or s. 327.35,
630 a court cost of \$135 shall be added to any fine imposed pursuant
631 to s. 316.193 or s. 327.35. The clerks shall remit the funds to
632 the Department of Revenue, \$25 of which shall be deposited in
633 the First Responders ~~Emergency Medical Services~~ Trust Fund, \$50
634 shall be deposited in the Operating Trust Fund of the Department
635 of Law Enforcement to be used for operational expenses in
636 conducting the statewide criminal analysis laboratory system
637 established in s. 943.32, and \$60 shall be deposited in the
638 Brain and Spinal Cord Injury Program Trust Fund created in s.

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639 381.79.

640 Section 22. This act shall take effect October 1, 2025.