

CHAPTER 98-28

House Bill No. 65

An act relating to crime prevention assistance; repealing ss. 426.001, 426.002, 426.003, 426.004, 426.005, 426.006, 426.007, 426.008, and 426.009, F.S., relating to crime prevention assistance; amending ss. 938.09 and 938.11, F.S., to conform; providing an effective date.

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

Section 1. Sections 426.001, 426.002, 426.003, 426.004, 426.005, 426.006, 426.007, 426.008, and 426.009, Florida Statutes, are hereby repealed.

Section 2. Subsection (1) of section 938.09, Florida Statutes, is amended to read:

938.09 Cases in which victim is handicapped or elderly.—

(1) When any person pleads guilty or nolo contendere to, or is convicted of, any felony or misdemeanor under the laws of this state or any county or municipal ordinance violation in which any victim is handicapped or elderly, ~~as defined in s. 426.002,~~ there shall be imposed an additional cost in the case, in addition to any other cost required to be imposed by law, in the sum of \$20. Under no condition shall a political subdivision be held liable for the payment of such sum of \$20.

Section 3. Subsection (1) of section 938.11, Florida Statutes, is amended to read:

938.11 Cases in which victim is handicapped or elderly.—

(1) In addition to any fine prescribed by law for any criminal offense or any county or municipal ordinance, when any victim of such criminal offense or any county or municipal ordinance violation is handicapped or elderly, ~~as defined in s. 426.002,~~ there is hereby assessed as a court cost an additional 10-percent surcharge on such fine, which cost shall be imposed by all county and circuit courts, and collected by the clerk of the court together with such fine. The cost shall be deposited in the General Revenue Fund.

Section 4. This act shall take effect upon becoming a law.

Became a law without the Governor's approval April 29, 1998.

Filed in Office Secretary of State April 28, 1998.