

CHAPTER 98-319

Committee Substitute for House Bill No. 3255

An act relating to court costs to fund law enforcement programs; creating s. 938.06, F.S.; imposing an additional court cost on fines for criminal offenses in county and circuit courts; providing for deposit in the Crime Stoppers Trust Fund; amending s. 16.555, F.S.; providing for distribution of such funds in the trust fund by the Department of Legal Affairs to counties to support official Crime Stoppers and their programs; amending s. 318.18, F.S.; including the court cost assessed pursuant to s. 938.15 in court costs for noncriminal traffic infractions; providing an effective date.

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

Section 1. Section 938.06, Florida Statutes, is created to read:

938.06 Additional cost for crime stoppers programs.—

(1) In addition to any fine prescribed by law for any criminal offense, there is hereby assessed as a court cost an additional surcharge of \$20 on such fine, which shall be imposed by all county and circuit courts and collected by the clerks of the courts together with such fine. No political subdivision shall be held liable for payment of costs under this section.

(2) The clerk of the court shall collect and forward, on a monthly basis, all costs assessed under this section, less \$3 per assessment as a service charge to be retained by the clerk, to the Department of Legal Affairs for deposit in the Crime Stoppers Trust Fund, to be used as provided in s. 16.555.

Section 2. Section 16.555, Florida Statutes, is amended to read:

16.555 Crime Stoppers Trust Fund; rulemaking.—

(1) As used in this section, the term:

(a) “Department” shall mean the Department of Legal Affairs.

(b) “Units of local government” shall mean the various city and county governments of the state.

(c) “Crime Stoppers” shall mean members of the Florida Association of Crime Stoppers, Incorporated, a Florida Corporation.

(2) The department shall have all the powers necessary or appropriate to carry out the purposes and provisions of this act.

(3) The department shall establish a trust fund for the purpose of grant administration to fund Crime Stoppers and their crime fighting programs within the units of a local government of the state.

(4)(a) The department shall make applications for all federal and state or private grants which meet the purposes of advancing Crime Stoppers in the State of Florida. Upon securing such grants, the funds shall be deposited in the "Crime Stoppers Trust Fund."

(b) The proceeds of the court cost imposed by s. 938.06 shall be deposited in a separate account in the trust fund, and within that account the funds shall be designated according to the judicial circuit in which they were collected. The funds in this account shall be used as provided in paragraph (5)(b).

~~(5)(a)~~ The department shall ~~then~~ be the disbursing authority for distribution of funding to units of local government, upon their application to the department for funding assistance.

(b) Funds deposited in the trust fund pursuant to paragraph (4)(b) shall be disbursed as provided in this paragraph. Any county may apply to the department for a grant from the funds collected in the judicial circuit in which the county is located under s. 938.06. A grant may be awarded only to counties which are served by an official member of the Florida Association of Crime Stoppers, and may only be used to support Crime Stoppers and their crime fighting programs. Only one such official member shall be eligible for support within any county. In order to aid the department in determining eligibility, the secretary of the Florida Association of Crime Stoppers shall furnish the department with a schedule of authorized crime stoppers programs and shall update the schedule as necessary. The department shall award grants to eligible counties from available funds and shall distribute funds as equitably as possible, based on amounts collected within each county, when more than one county is eligible within a judicial circuit.

~~(6)(5)~~ The department shall adopt and enforce rules to implement the provisions of this act. Such rules shall include, but shall not be limited to:

(a) Criteria for local governments to apply for funding from the "Crime Stoppers Trust Fund" in order to aid in their local law enforcement as provided in this section ~~agency~~.

(b) The limits of funding to be distributed to local government units based on a pro rata share of grants made available through the "Crime Stoppers Trust Fund," pursuant to paragraph (4)(a), and criteria for the equitable distribution of funds available pursuant to paragraph (4)(b).

(c) Provisions for the return of unused funds to be redeposited in the "Crime Stoppers Trust Fund" if for any reason the unit of local government does not use the funds as intended within an agreed upon time.

(d) Provisions for the coordination with appropriate governmental agencies to support and enhance efforts to train the public in crime prevention methods and in personal safety principles, especially for citizens who live in, work at, or frequent locations having high crime rates.

Section 3. Subsection (11) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of civil penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 are as follows:

(11)(a) Court costs which are to be in addition to the stated fine shall be imposed by the court in an amount not less than the following:

- For pedestrian infractions \$ 3.
- For nonmoving traffic infractions \$ 6.
- For moving traffic infractions \$10.

(b) In addition to the court cost assessed under paragraph (a), the court shall impose a \$3 court cost for each infraction to be distributed as provided in s. 938.01 943.25(3) and a \$2 court cost as provided in s. 938.15 when assessed by a municipality or county.

In no event may court costs imposed under this subsection exceed \$30. A regional criminal justice assessment center or other local criminal justice access and assessment center may be funded from these court costs.

Section 4. This act shall take effect July 1 of the year in which enacted.

Became a law without the Governor’s approval May 30, 1998.

Filed in Office Secretary of State May 29, 1998.