

House Bill No. 1881

An act relating to trust funds; terminating specified trust funds within the Justice Administrative Commission, the Department of Corrections, and the State Courts System; providing for disposition of balances in and revenues of the trust funds; prescribing procedures for the termination of trust funds; amending ss. 27.702, 28.101, 741.01, and 948.09, F.S., to conform; repealing s. 25.388, F.S., relating to the Family Courts Trust Fund, to conform; providing an effective date.

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

Section 1. (1) The following trust funds within the Justice Administrative Commission are terminated:

(a) The Capital Collateral Trust Fund, FLAIR number 21-2-072.

(b) The Consumer Frauds Trust Fund, FLAIR number 21-2-127. The current balance remaining in, and all revenues of, this trust fund shall be transferred to the Justice Administrative Commission Grants and Donations Trust Fund, FLAIR number 21-2-339.

(2) The Operating Trust Fund within the Department of Corrections, FLAIR number 70-2-510, is terminated.

(3) The Family Courts Trust Fund within the State Courts System, FLAIR number 22-2-973, is terminated.

(4) Except as otherwise provided herein, all current balances remaining in, and all revenues of, the trust funds terminated by this act shall be transferred to the General Revenue Fund.

(5) For each trust fund terminated by this act, the agency that administers the trust fund shall pay any outstanding debts and obligations of the terminated fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

Section 2. Paragraph (a) of subsection (3) of section 27.702, Florida Statutes, is amended to read:

27.702 Duties of the capital collateral regional counsel; reports.—

(3)(a) The capital collateral regional counsel shall file motions seeking compensation for representation and reimbursement for expenses pursuant to 18 U.S.C. s. 3006A when providing representation to indigent persons in the federal courts, and shall deposit all such payments received into the General Revenue Capital Collateral Trust Fund established for such purpose.

Section 3. Paragraph (d) of subsection (1) of section 28.101, Florida Statutes, is amended to read:

28.101 Petitions and records of dissolution of marriage; additional charges.—

(1) When a party petitions for a dissolution of marriage, in addition to the filing charges in s. 28.241, the clerk shall collect and receive:

(d) A charge of \$32.50. On a monthly basis, the clerk shall transfer the moneys collected pursuant to this paragraph as follows:

1. An amount of \$7.50 to the Department of Revenue for deposit in the Displaced Homemaker Trust Fund.

2. An amount of \$25 to the Department of Revenue for deposit in the General Revenue Family Courts Trust Fund.

Section 4. Subsections (4) and (5) of section 741.01, Florida Statutes, are amended to read:

741.01 County court judge or clerk of the circuit court to issue marriage license; fee.—

(4) An additional fee of \$25 shall be paid to the clerk upon receipt of the application for issuance of a marriage license. The moneys collected shall be remitted by the clerk to the Department of Revenue, monthly, for deposit in the General Revenue Family Courts Trust Fund.

(5) The fee charged for each marriage license issued in the state shall be reduced by a sum of \$32.50 for all couples who present valid certificates of completion of a premarital preparation course from a qualified course provider registered under s. 741.0305(5) for a course taken no more than 1 year prior to the date of application for a marriage license. For each license issued that is subject to the fee reduction of this subsection, the clerk is not required to transfer the sum of \$7.50 to the Department of Revenue for deposit in the Displaced Homemaker Trust Fund pursuant to subsection (3) or to transfer the sum of \$25 to the Department of Revenue for deposit in the General Revenue Family Courts Trust Fund.

Section 5. Subsection (2) of section 948.09, Florida Statutes, is amended to read:

948.09 Payment for cost of supervision and rehabilitation.—

(2) Any person being electronically monitored by the department as a result of placement on community control shall be required to pay as a surcharge an amount that may not exceed the full cost of the monitoring service in addition to the cost of supervision fee as directed by the sentencing court. The surcharge shall be deposited in the General Revenue Operating Trust Fund ~~to be used by the department for purchasing and maintaining electronic monitoring devices.~~

Section 6. Section 25.388, Florida Statutes, is repealed.

Section 7. This act shall take effect July 1, 2004.

Approved by the Governor May 25, 2004.

Filed in Office Secretary of State May 25, 2004.