

## CHAPTER 2021-5

### Senate Bill No. 7056

An act relating to trust funds; terminating the Public Defenders Revenue Trust Fund within the Justice Administrative Commission; providing for the disposition of balances in and revenues of the trust fund; terminating the Revolving Trust Fund within the Department of Law Enforcement; providing for the disposition of balances in and revenues of the trust fund; repealing s. 27.61, F.S., relating to the Public Defenders Revenue Trust Fund; amending ss. 318.18 and 817.568, F.S.; providing for the redirection of certain revenues from the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund to conform to changes made by the act; terminating the Welfare Transition Trust Fund within the Department of Military Affairs; providing for the disposition of balances in and revenues of the trust fund; repealing s. 250.175(5), F.S., relating to the Welfare Transition Trust Fund; terminating the Welfare Transition Trust Fund within the Department of Health; providing for the disposition of balances in and revenues of the trust fund; repealing s. 20.435(8), F.S., relating to the Welfare Transition Trust Fund; providing an effective date.

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

Section 1. (1) The Public Defenders Revenue Trust Fund, FLAIR number 20-2-059, within the Justice Administrative Commission, is terminated.

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

(3) The Justice Administrative Commission 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. (1) The Revolving Trust Fund, FLAIR number 71-2-600, within the Department of Law Enforcement, is terminated.

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

(3) The Department of Law Enforcement 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 3. Section 27.61, Florida Statutes, is repealed.

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

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

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

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

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

817.568 Criminal use of personal identification information.—

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

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

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

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

(3) The Department of Military Affairs 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 7. Subsection (5) of section 250.175, Florida Statutes, is repealed.

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

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

(3) The Department of Health 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 9. Subsection (8) of section 20.435, Florida Statutes, is repealed.

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

Approved by the Governor April 19, 2021.

Filed in Office Secretary of State April 19, 2021.