

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 12-B

SPONSOR: Senator Cowin

SUBJECT: Civil Penalties

DATE: October 22, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Beck	Revell	AP	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill amends Section 318.21 Florida Statutes by redirecting a portion of civil penalties collected and distributed to the state court system, for support of Florida foster care citizen review panels, to the General Revenue Fund. This amendment implements the budget reductions as proposed in Senate Bill 2B.

This bill substantially amends section 318.21, Florida Statutes.

II. Present Situation:

Section 318.21, F.S. provides for the disposition of civil penalties by county courts. Following the initial distribution of civil penalties paid to the Department of Children and Families and to the Department of Juvenile Justice as directed in Section 318.21(1), Section 318.21(2)(a)-(i) directs the distribution of the remaining balance of civil penalties under Chapter 318.

Section 318.21(2)(i) directs that a portion of civil penalties collected be paid to the General Revenue Fund of the State, except that the first \$300,000 shall be deposited into the Grants and Donations Trust Fund in the state courts system for administrative costs, training costs, and costs associated with the implementation and maintenance of Florida foster care citizen review panels as provided for in s. 39.702.

III. Effect of Proposed Changes:

The bill deletes the provision in Section 318.21(2)(i), F.S. requiring that the first \$300,000 of the remaining balance of civil penalties be deposited into the Grants and Donations Trust Fund for support of Florida foster care citizen review panels. Instead, following the distribution of civil

penalties as directed in Section 318.21(1)-(2)(a)-(i), F.S., 100 percent of the balance of civil penalties following this distribution shall be deposited into General Revenue. This statutory change is necessary to implement the budget reduction actions of the Legislature directed by SB 2B which eliminate state funding for Florida foster care citizen review panels.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Civil penalties, previously collected and distributed to the Grants and Donations Trust Fund in the state courts system to support Florida foster care citizen review panels, will now be paid to the General Revenue Fund of the state providing additional revenues to the Florida Legislature needed to balance the budget and meet critical funding priority needs for Fiscal Years 2001-02 and 2002-03.

State funding to support Florida foster care citizen review panels will no longer be provided.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
