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**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CRIMINAL JUSTICE APPROPRIATIONS
TRUST FUND RE-CREATION ANALYSIS**

BILL #: HB 1851 (PCB CJA 02-11)

RELATING TO: Indigent Criminal Defense Trust Fund

SPONSOR(S): Committee on Criminal Justice Appropriations and Representative Ball

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) CRIMINAL JUSTICE APPROPRIATIONS YEAS 11 NAYS 0
 - (2)
 - (3)
 - (4)
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I. SUMMARY:

This legislation re-creates the Indigent Criminal Defense Trust Fund, FLAIR number 212974, without modification. The Indigent Criminal Defense Trust Fund is administered by the Justice Administrative Commission.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:

Section 27.525, F.S. creates the trust fund.

Section 27.52, F.S., provides for the deposit of the first \$40 of any court assessed fees or costs that are paid by an indigent defendant to the Indigent Criminal Defense Trust Fund as payment for the application fee.

2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:

The receipts of the Indigent Criminal Defense Trust Fund are expended to supplement the general revenue funds appropriated by the Legislature to the public defenders.

For the 2001-2002 fiscal year, the Legislature appropriated \$6,617,251.

3. MAJOR SOURCES OF REVENUE FOR THE FUND:

The primary source of revenue for the Indigent Criminal Defense Fund is a \$40 fee which is collected in conjunction with determinations of indigency. Total receipts from these fees in the 2000-2001 fiscal year were \$2,876,542. Agency estimates for the 2001-2002 fiscal year and the 2002-2003 fiscal year are \$3,468,819 and \$3,794,090, respectively.

B. EFFECT OF PROPOSED CHANGES:

This bill re-creates the trust fund without modification.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

IV. COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VI. SIGNATURES:

COMMITTEE ON CRIMINAL JUSTICE APPROPRIATIONS:

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