

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 175 Rape Crisis Program Trust Fund
SPONSOR(S): Murman
TIED BILLS: HB 173 **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) ELDER & LONG TERM CARE (SUB)		Meyer	Liem
2) FUTURE OF FLORIDA'S FAMILIES		Meyer	Liem
3) HEALTH CARE			
4) PUBLIC SAFETY & CRIME PREVENTION			
5) HEALTH APPROPRIATIONS (SUB)			
6) APPROPRIATIONS			

SUMMARY ANALYSIS

HB 175 creates the Sexual Assault Victim's Trust Fund. The trust fund would be used to provide sexual assault recovery services to victims of sexual assault and to their families. The bill provides for an additional assessment of court costs against any person who is found guilty, who pleads nolo contendere to, or who is found guilty regardless of adjudication of an act of sexual battery. The bill takes effect upon becoming law.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0175b.fff.doc
DATE: March 19, 2003

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

Creates a trust fund to receive funds collected as additional court costs for persons who plead guilty or nolo contendere to, or is found guilty of, regardless of adjudication a list of specified offenses related to assault and battery.

C. SECTION DIRECTORY:

Section 1 creates the Rape Crisis Program Trust Fund within the Department of Health.

Section 2 provides that this act take effect on July 1, 2003, if HB 173 or similar legislation creating the Sexual Assault Victims' Access to Services Act is adopted in the same legislative session.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill provides for an assessment of court costs of \$151 against any person found guilty of sexual battery. \$1 of that assessment would be retained by the Clerks of Court in each circuit. The Department of Corrections is preparing estimates of the number of offenders who could be expected to pay these additional court costs.

2. Expenditures:

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

D. FISCAL COMMENTS:

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

B. RULE-MAKING AUTHORITY:

The Department of Health shall establish by rule criteria for distributing moneys from the trust fund to rape crisis centers.

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES