Florida Senate - 2005

By Senator Bennett

21-1309-05

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1	A bill to be entitled
2	An act relating to teen courts; amending s.
3	938.19, F.S.; authorizing a board of county
4	commissioners to adopt an ordinance that
5	incorporates the provisions of the act;
б	providing funding for a teen court through the
7	assessment of an additional court cost against
8	each person who pleads guilty or nolo
9	contendere to, or is convicted of, a violation
10	of a criminal law, an ordinance, or a traffic
11	offense in the county; providing for
12	administration by the clerk of the circuit
13	court; authorizing the clerk of the court to
14	retain a specified percentage of the
15	assessments collected as income to the clerk of
16	the court; requiring the teen court to account
17	for all funds deposited into the teen court
18	account; requiring an annual report to the
19	board of county commissioners by a specified
20	date; authorizing specified organizations to
21	operate and administer a teen court program;
22	providing an effective date.
23	
24	Be It Enacted by the Legislature of the State of Florida:
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26	Section 1. Section 938.19, Florida Statutes, is
27	amended to read:
28	938.19 Teen courts
29	(1) Notwithstanding s. 318.121, in each county in
30	which a teen court has been created, the board of county
31	commissioners may adopt a mandatory cost to be assessed in
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 this section in a county ordinance. Assessments collected by the clerk of the circuit court under this subsection shall be deposited into an account specifically for the operation and administration of the teen court. (2) A sum of up to \$3 shall be assessed as a court cost in the circuit and county court in the county against each person who pleads quilty or nolo contendere to, or is convicted of, regardless of adjudication, a violation of a criminal law or a municipal ordinance or county ordinance or who pays a fine or civil penalty for any violation of chapter 318.14(9) or (10) shall also be assessed the cost. (3) The assessment for court costs shall be assessed in addition to any fine or civil penalty or other court cost and may not be deducted from the proceeds of that portion of any fine or civil penalty which is received by a municipality in the county or by the county in accordance with ss. 316.660 and 318.21. The assessment shall be specifically added to any civil penalty paid for a violation of chapter 316, regardless of whether the penalty is paid by mail, paid in person without request for a hearing, or paid after hearing and determination by the court. However, the assessment may not be made against a person for a violation of any state law, county ordinance, or municipal ordinance relating to the parking of vehicles, with the exception of a violation of the handicapped parking laws. (4)(a) The clerk of the circuit court shall collect the assessments for court costs established in this section an shall remit the assessments to the teen court monthly. 	1	specific cases by incorporating by reference the provisions of
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CODING: Words stricken are deletions; words <u>underlined</u> are additions.

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1	(b) The clerk of the circuit court shall withhold 5
2	percent of the assessments collected, which shall be retained
3	as fee income of the office of the clerk of the circuit court.
4	(5) A teen court that receives the cost assessments
5	established by the adopted county ordinance must account for
б	all funds that have been deposited into the designated account
7	in a written report to the board of county commissioners. The
8	report must be given to the commissioners by August 1 of each
9	year or by a date required by the commissioners.
10	(6) A teen court may be administered by a nonprofit
11	organization, a law enforcement agency, the court
12	administrator, the clerk of the court, or another similar
13	agency authorized by the board of county commissioners.
14	Counties are hereby authorized to fund teen courts.
15	Section 2. This act shall take effect July 1, 2005.
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17	* * * * * * * * * * * * * * * * * * * *
18	SENATE SUMMARY
19	Authorizes a board of county commissioners to adopt an ordinance that provides for funding a teen court through
20 the assessment of an additional court cost of u	the assessment of an additional court cost of up to \$3 against every person who pleads guilty or nolo contendere
21	to, or is convicted of, a violation of a criminal law, an ordinance, or a traffic offense in the county. Provides
for administering the collection of assessments by clerk of the circuit court. Authorizes the clerk of court to retain a specified percentage of the asses collected as income to the clerk of the court. Require the teen court to account for all funds deposited	for administering the collection of assessments by the
	court to retain a specified percentage of the assessments
	the teen court to account for all funds deposited into the teen court account. Orders the teen court to report
25	to the county commission by a specified date. Authorizes certain specified organizations to operate and administer
26	a teen court program.
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