

ORDINANCE NO. 2004- 40

AN ORDINANCE IMPLEMENTING FLORIDA STATUTE SECTION 939.185, ASSESSMENT OF ADDITIONAL COURT COSTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in November 1998, Florida voters approved Revision 7 to Article V of the Florida Constitution which provides for the judicial branch of government. Revision 7, according to the ballot summary, "allocates state court system funding among state, counties, and user of courts" and must be "fully effectuated" by July 1, 2004; and

WHEREAS, Senate Bill 2962 corrected a number of glitches remaining from the legislation passed during the 2003 legislature; and

WHEREAS, this Bill created Florida Statute Section 939.185, Assessment of Additional Court Costs, to provide additional court costs to fund legal aid programs, public law libraries, teen court and other juvenile delinquency programs.

NOW, THEREFORE BE IT ORDAINED this 26th day of July, 2004, by the Board of County Commissioners of Nassau County, Florida the following:

Section 1. Assessment of Additional Court Costs

- (a) An additional court cost of \$65.00 is hereby adopted to be imposed by the Court when a person pleads guilty or nolo contendere to, or is found guilty of, any felony, misdemeanor, or criminal traffic offense under the laws of this state. Such additional assessment shall be

accounted for separately by Nassau County and shall be used only in Nassau County and be allocated as follows:

1. Twenty-five percent (25%) of the amount collected shall be allocated to fund innovations to supplement state funding for the elements of the state courts system identified in Florida Statute Section 29.004 and county funding for local requirements under Florida Statute Section 29.008(2)(a)2.
2. Twenty-five percent (25%) of the amount collected shall be allocated to assist counties in providing legal aid programs required under Florida Statute 29.008(3)(a).
3. Twenty-five percent (25%) of the amount collected shall be allocated to fund personnel and legal materials for the public as part of a law library.
4. Twenty-five percent (25%) of the amount collected shall be used as determined by the Board of County Commissioners to support teen court programs, juvenile assessment centers, and other juvenile alternative programs.

Nassau County shall report the amount of funds collected pursuant to this Ordinance and an itemized list of expenditures for all authorized programs and activities. The report shall be submitted in a format developed by the Supreme Court, to the Governor, the Chief Financial Officer, the President of the

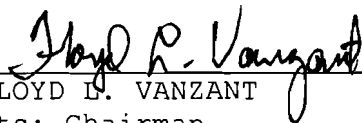
Senate, and Speaker of the House of Representatives on a quarterly basis beginning with the quarter ending September 30, 2004. Quarterly reports shall be submitted no later than thirty (30) days after the end of the quarter. Any unspent funds at the close of Nassau County's fiscal year allocated under subparagraphs 2., 3., and 4. above shall be transferred for use pursuant to subparagraph 1. above.

(b) The disbursement of costs collected under this section shall be subordinate in priority order of disbursement to all other state-imposed costs authorized in Chapter 2003-402, Restitution or other Compensation to Victims, and Child Support Payments.

Section 2. The Court shall order a person to pay the additional court cost. If the person is determined to be indigent, the Clerk shall defer payment of this cost.

Section 3. Effective Date. This ordinance shall become effective upon its being filed in the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



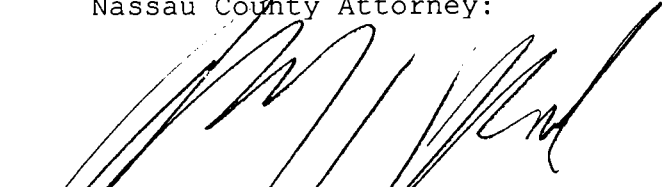
FLOYD L. VANZANT
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN
amyers/ord/add'l court costs