

FILED
2010 JUN 19 11:10:02
TAMMIE B. SEAL, CLERK
JUDICIAL DEPARTMENT
STATE OF FLORIDA

ORDINANCE NO.: 2010 -16

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

AN ORDINANCE TO AMEND PROVISIONS OF THE HERNANDO COUNTY CODE OF ORDINANCES RELATING TO THE IMPOSITION AND COLLECTION OF ADDITIONAL COURT COSTS IN CRIMINAL CASES; AMENDING CODE SECTION 11-4 TO MODIFY ALLOCATION OF COLLECTED COURT COSTS; PROVIDING FOR SEVERABILITY AND INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY:

SECTION 1. Amendment of Hernando County Code § 11-4. Hernando County Code

§ 11-4 is hereby amended to read as follows, with underlined matter added and struck-through matter deleted:

Sec. 11-4. Additional court costs in criminal cases.

(a) Pursuant to section 939.185, Florida Statutes, an additional court cost of \$65.00 (sixty-five dollars) shall be imposed by the court when a person pleads guilty or nolo contendere, or is convicted of, or adjudicated delinquent for, any felony, misdemeanor, delinquent act or criminal traffic offense under Florida Statutes. Funds received from the additional court cost shall be distributed as follows:

- (1) ~~Twenty-five (25) percent shall be retained by the clerk of the circuit court to fund innovations such as drug court and other specialized court programs to supplement funding for the court system in~~

1 ~~Hernando County consistent with sections 29.004 and 29.008(2)(a)2,~~
2 ~~Florida Statutes. Twenty-five (25) percent of the amount collected~~
3 ~~shall be allocated to fund innovations, as determined by the chief~~
4 ~~judge of the circuit, to supplement state funding for the elements of~~
5 ~~the state courts system identified in Fla. Stat. §§ 29.004 and~~
6 ~~29.008(2)(a)2.~~

7 (2) Twenty-five (25) percent shall be remitted to the board of county
8 commissioners to fund legal aid programs in Hernando County
9 ~~consistent with section 29.008(3), Florida Statutes.~~

10 (3) Twenty-five (25) percent shall be remitted to the board of county
11 commissioners to fund law libraries in Hernando County.

12 (4) ~~Twenty-five (25) percent shall be retained by the clerk of the circuit~~
13 ~~court to fund the teen court programs, except as provided in section~~
14 ~~938.19(7) Florida Statutes, and other juvenile alternative programs in~~
15 ~~Hernando County. Twenty-five (25) percent of the amount collected~~
16 ~~shall be used as determined by the board of county commissioners to~~
17 ~~support teen court programs, except as provided in Fla. Stat. §~~
18 ~~938.19(7), juvenile assessment centers, and other juvenile alternative~~
19 ~~programs.~~

20 (b) The funds collected pursuant to subsections (a)(2), ~~and (3), and (4)~~ above

1 shall be expended as provided by the board of county commissioners. The
2 funds collected pursuant to subsections (a)(1) ~~and (4)~~ above shall be
3 expended as provided by ~~the clerk of the circuit court~~ the chief judge of the
4 circuit. Funds unspent at the close of the county's fiscal year shall be
5 allocated pursuant to subsection (a)(1) above.

6 (c) The court shall order payment of these additional court costs in all matters
7 subject to this section, but may defer payment if the person against whom the
8 cost is imposed is indigent.

9 **SECTION 2. Severability.** It is declared to be the intent of the Board of County
10 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
11 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
12 validity of the remaining portions of this ordinance.

13 **SECTION 3. Inclusion in the Code.** It is the intention of the Board of County
14 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this
15 Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida.
16 To this end, any section or subsection of this Ordinance may be renumbered or relettered to
17 accomplish such intention, and the word "ordinance" may be changed to "section, "article", or other
18 appropriate designation.

19 **SECTION 4. Effective date.** This ordinance shall take effect immediately upon receipt of
20 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has

1 been filed with said office.

2 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
3 **HERNANDO COUNTY** in Regular Session this 10th day of AUGUST 2010.

4
5 **BOARD OF COUNTY COMMISSIONERS**
6 **HERNANDO COUNTY, FLORIDA**



7
8
9 Attest:

Karen Nicolai

10 **KAREN NICOLAI**
11 **Clerk**

By:

John Druzbeck

12 **JOHN DRUZBICK**
13 **Chairman**

14
15
16 Approved for Form and Legal Sufficiency

17
18
19 *[Signature]*
Assistant County Attorney