

ORDINANCE NO. 85-8

AN ORDINANCE PROVIDING FOR THE ASSESSMENT OF TWO DOLLARS (\$2.00) COURT COST IN ACCORDANCE WITH SECTION 943.25(8)(a), FLORIDA STATUTES, BY ALL COURTS CREATED BY ARTICLE V OF THE STATE CONSTITUTION AGAINST EVERY PERSON CONVICTED FOR A VIOLATION OF A STATE PENAL OR CRIMINAL STATUTE OR CONVICTED FOR A VIOLATION OF A COUNTY ORDINANCE; PROVIDING THAT THE TWO DOLLARS (\$2.00) COURT COST LEVIED BY THE COURTS PURSUANT TO SECTION 943.25(4), FLORIDA STATUTES, SHALL BE RETAINED BY THE COUNTY AND USED FOR BASIC TRAINING OF CORRECTIONAL OFFICERS UNTIL JUNE 30, 1986, AT WHICH TIME SAID TWO DOLLARS (\$2.00) COURT COST SHALL BE DISBURSED IN ACCORDANCE WITH SECTION 943.25(4), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 943.25, Florida Statutes, provides that all courts created by Article V of the State Constitution shall assess Two Dollars (\$2.00) as court cost against every person convicted for violation of a state penal or criminal statute or convicted for violation of a municipal or county ordinance; and

WHEREAS, Section 943.25(4), Florida Statutes, provides that the Two Dollars (\$2.00) levied as court cost shall be returned to the state, but Section 943.25(5), Florida Statutes, provides that notwithstanding the provisions of that section, the counties may use such assessments for basic training of correctional officers; however, the expiration of such authorization for such use of assessments for basic training was extended from July 1, 1984 until June 30, 1986; and

WHEREAS, Section 943.25(8)(a), Florida Statutes, provides that counties may assess an additional Two Dollars (\$2.00) for criminal justice education and training, including basic training expenditures for their respective law enforcement and correctional officers, part-time law enforcement officers, auxiliary officers, and support personnel, provided that such education degree programs and programs are approved by the Police Training and Standards Commission; and

WHEREAS, the Board of County Commissioners of Hernando County, Florida, finds it in the best interest of the County to utilize the Two Dollar (\$2.00) court cost assessed pursuant to Section 943.25(4), Florida Statutes, for the

purpose of correctional officers training as authorized by Section 943.25(5), Florida Statutes, and further finds that it is in the best interest of the County to assess an additional Two Dollars (\$2.00) in accordance with Section 943.25(8)(a), Florida Statutes, for criminal justice education, and training.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, AS FOLLOWS:

SECTION 1. Assessment of Court Costs. Pursuant to Section 943.25(8)(a), Florida Statutes, all courts created by Article V of the State Constitution shall assess Two Dollars (\$2.00) as a court cost against every person convicted for violation of a state penal or criminal statute or convicted for violation of a County ordinance. In addition, Two Dollars (\$2.00) shall be deducted from every bond estreature or forfeited bail bond related to such penal statutes or ordinances. However, no such assessment shall be made against any person convicted for violation of any state statute, municipal or county ordinance relating to the parking of vehicles.

SECTION 2. Disposition of Court Costs Collected. Pursuant to Section 943.25(5), Florida Statutes, the Two Dollar (\$2.00) mandatory court cost assessed pursuant to Section 943.25(4), Florida Statutes, may be used by the County for basic training of correctional officers until June 30, 1986, and, thereafter, said assessments shall be disposed of in accordance with Section 943.25(8)(a), the additional Two Dollars (\$2.00) assessment provided for in Section 1 above shall be used for criminal justice education and training, including basic training expenditures for the County's law enforcement and correctional officers, part-time law enforcement officers, auxiliary officers, and support personnel, provided that such education and training programs are approved by the Police Training and Standards Commission.

SECTION 3. Severability. It is hereby declared to be the intent of the Board of County Commissioners of Hernando County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provision and shall not be affected by such holding. The Board declares that no invalid or proscribed section, subsection, sentence, clause, or provision of this ordinance was an inducement

to the enactment of this ordinance regardless of the invalid or proscribed section, subsection, sentence, clause or provision.

SECTION 4. Effective Date. This Ordinance shall become effective upon acknowledgement from the Secretary of State that the Ordinance has been duly filed.

ADOPTED in Regular Session this 26th day of March, 1985.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

Attest: Maile Donato Deputy Clerk
Harold William Brown
Clerk

By: Leonard F. Trias, Jr.
Chairman
