

AN ORDINANCE RELATING TO COUNTY FUNDING OF FACILITIES OF THE STATE COURT SYSTEM WITHIN SEMINOLE COUNTY; AMENDING SECTION 50.1, OF THE SEMINOLE COUNTY CODE; IMPLEMENTING A FIFTEEN DOLLAR (\$15.00) INCREASE FOR A COMBINED TOTAL SURCHARGE OF THIRTY DOLLARS (\$30.00) ON ALL NONCRIMINAL TRAFFIC CITATIONS IMPOSED PURSUANT TO SECTION 318.14, FLORIDA STATUTES AND THOSE CRIMINAL OFFENSES LISTED IN SECTION 318.17, FLORIDA STATUTES ISSUED WITHIN SEMINOLE COUNTY; PROVIDING FOR THE USE OF THE INCREASED SURCHARGE FOR FUNDING OF STATE COURT SYSTEM FACILITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature's enactment of Chapter 2009-204, Laws of Florida amended section 318.18, Florida Statutes, increasing the authorized surcharge on all noncriminal traffic infractions issued pursuant to section 318.14, Florida Statutes and those criminal offenses listed in section 318.17, Florida Statutes from fifteen dollars (\$15.00) to thirty dollars (\$30.00) that may be imposed by the County for the purpose of funding the facilities of the State Court System located in the County; and

WHEREAS, the surcharge authorized by section 318.18(13)(a), Florida Statutes, and implemented by section 50.1, Seminole County Code (the "Code"), requires amendment of said Code section in order to increase the surcharge accordingly; and


WHEREAS, the Board finds and determines that an increase in the surcharge is necessary to provide and maintain adequate court facilities to meet the needs of the public during difficult economic circumstances and declining public funds; and

WHEREAS, the Seminole County Home Rule Charter requires that an Economic Impact Statement be prepared to address the potential fiscal

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MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY *Caylon Cohen*
DEPUTY CLERK

impacts and economic costs of this Ordinance upon the public and taxpayers of Seminole County and such Economic Impact Statement has been prepared and has been made available for public review and copying prior to the enactment of this Ordinance;


NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. STATEMENT OF INTENT AND FINDINGS OF FACT. The foregoing recitals are deemed to be an integral part of this section and constitute additional findings of the Board of County Commissioners. It is the intent of the Board to promote and enhance the continued smooth and efficient operation of the State Court System and its facilities within the County. Such public services are essential to upholding the constitutional rights of citizens, guaranteeing their access to the civil and criminal justice system,  as well as the economic and general well being of the general public as a whole. As a result of the public hearing and deliberations of the Board surrounding adoption of this Ordinance, the Board hereby finds and determines that imposition of the increased, authorized surcharge is essential to provide adequate funding for the provision of State Court System facilities.

SECTION 2. AMENDMENT OF SECTION 50.1, SEMINOLE COUNTY CODE. Section 50.1 of the Seminole County Code is hereby amended to provide as follows:

Sec. 50.1 Traffic Infraction and Citation Surcharge. Pursuant to the authority of Section 318.18(13)(a), Florida Statutes, as enacted by ~~Section 60 of Chapter 2004-265~~ amended by section 16 of Chapter 2009-204, Laws of Florida, there is hereby imposed a surcharge of

~~Fifteen and No/100 Dollars (\$15.00)~~ Thirty and No/100 Dollars (\$30.00)
on all noncriminal traffic infractions and citations issued within
Seminole County pursuant to section 318.14, Florida Statutes and those
criminal traffic violations listed in section 318.17, Florida
Statutes. This surcharge shall be used for funding the Facilities, as
defined by Section 29.008(1)(a), Florida Statutes, used by the State
Court System within Seminole County and for no other purpose. The
Clerk of the Court shall collect this surcharge and deposit same into
the County's general fund.

SECTION 3. Codification. It is the intention of the Board of
County Commissioners that the provisions of this Ordinance shall
become and be made a part of the Seminole County Code and that the
word "ordinance" may be changed to "section", "article", or other
appropriate word or phrase and  the sections of this Ordinance may be
renumbered or re-lettered to accomplish such intention; providing,
however, that the Recitals and Sections 1, 3, 4 and 5 of this
Ordinance shall not be codified.

SECTION 4. SEVERABILITY. If any clause or provision of this
Ordinance or the application thereof to any person or circumstance is
held invalid, it is the intent of the Board of County Commissioners
that the invalidity shall not affect other provisions or applications
of this Ordinance which can be given effect without the invalid
provision or application, and to this end the provisions of this
Ordinance are declared severable.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect on October 1, 2009.

ENACTED this 25th day of August, 2009.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By *[Signature]* ca
MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida

By: *[Signature]*
BOB DALLARI, Chairman

