

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO MANDATORY COURT COSTS; AMENDING
3 SECTION 10-5 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND
4 PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE
5 DATE.

6 (Sponsored by the Board of County Commissioners)
7

8 WHEREAS, Section 938.19, Florida Statutes, authorizes the Broward County
9 Board of County Commissioners (the "Board") to impose a local assessment of up to
10 Three Dollars (\$3.00) for certain offenses, including violations of criminal law, local
11 ordinances, and uniform traffic laws, to fund the operation and administration of teen
12 courts in Broward County ("Mandatory Court Costs");

13 WHEREAS, Section 10-5 of the Broward County Code of Ordinances ("Code")
14 establishes an assessment of Mandatory Court Costs in the amount of Two Dollars
15 (\$2.00); and

16 WHEREAS, the Board finds that it is in the best interest of the County to amend
17 Section 10-5 of the Code to increase the current assessment of Mandatory Court Costs
18 from Two Dollars (\$2.00) to Three Dollars (\$3.00),

19 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
20 BROWARD COUNTY, FLORIDA:

Section 1. Section 10-5 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 10-5. Assessment of additional court costs for the operation and support of the teen court.

...

(b) A sum of ~~Two~~ Three Dollars (~~\$2.00~~) (\$3.00) shall be assessed as a court cost in the Circuit and County Court in Broward County against each person (i) who is convicted of, or pleads guilty or nolo contendere (no contest) to, violation of a criminal law, a delinquent act, or a municipal or county ordinance, regardless of whether adjudication, is withheld; (ii) who pays a fine or civil penalty for any violation of Chapter 316, Florida Statutes, the Florida Uniform Traffic Control Law; or (iii) who is adjudicated delinquent. Any person whose adjudication is withheld under Section 318.14(9) or Section 318.14(10), Florida Statutes, shall also be assessed the cost.

...

Section 2. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 3. Inclusion in the Broward County Code of Ordinances.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance become part of the Broward County Code of Ordinances as of the effective date. The sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary to accomplish such intention.

Section 4. Effective Date.

This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Christina A. Price 11/21/2023
Christina A. Price (date)
Assistant County Attorney

By: /s/ Annika E. Ashton 11/21/2023
Annika E. Ashton (date)
Deputy County Attorney

CAP/sr
Mandatory Court Costs Ordinance
11/21/2023
iManage file#1066976v2

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.