

## **ORDINANCE 15-01**

**AN ORDINANCE OF HOLMES COUNTY, FLORIDA,  
AMENDING HOLMES COUNTY, FLORIDA  
ORDINANCE 04-04 DEALING WITH IMPOSING AN  
ASSESSMENT OF ADDITIONAL COURT COST IN  
CRIMINAL CASES; PROVIDING FOR REPEALER;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR  
AN EFFECTIVE DATE.**

**WHEREAS**, on the 13<sup>th</sup> day of July, 2004, the Board of County Commissioners for Holmes County Florida adopted Ordinance 04-04 which imposed an assessment of additional court cost in criminal cases; and

**WHEREAS**, the Florida Legislature has amended Section 939.185, Florida Statutes to allow the Board of County Commissioners to increase this assessment from forty dollars (\$40) to sixty five (\$65); and

**WHEREAS**, the Board of County Commissioners is desirous of amending Ordinance 04-04 to reflect the amendment to Section 939.185, Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Holmes County, Florida, that:

**SECTION 1. AMENDMENT.**

Section "1(a)" of Ordinance 04-04 is hereby amended and replaced with the following:

"Section 1: Additional Court Costs In Criminal Cases.

(a) Pursuant to Section 939.185, Florida Statutes, an additional court cost of sixty five dollars (\$65) shall be imposed by the Court when a person pleads guilty or nolo contendere, or is convicted of any felony, misdemeanor, or criminal traffic offense under the laws of the State of Florida. Such court cost shall be collected by the Clerk of Court and remitted to HOLMES COUNTY. Funds received from this additional court costs shall be allocated in accord with the requirements Section 939.185(1)(a), Florida Statutes, and shall be as follows:

1. Twenty-five percent of the amount collected shall be allocated to fund innovations, as determined by the chief

judge of the circuit, to supplement state funding for the elements of the state courts system identified in s 29.004 and county funding for local requirements under s 29.008(2)(a)2.

2. Twenty-five percent of the amount collected shall be allocated to assist counties in providing legal aid programs required under s. 29.008(3)(a).

3. Twenty-five percent 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 of the amount collected shall be used as determined by the board of county commissioners to support teen court programs, except as provided in s. 938.19(7), juvenile assessment centers, and other juvenile alternative programs.

**SECTION 2. REPEALER.**

Any Ordinance, or section of Ordinance, in conflict herewith is hereby repealed only to the extent of such conflict.

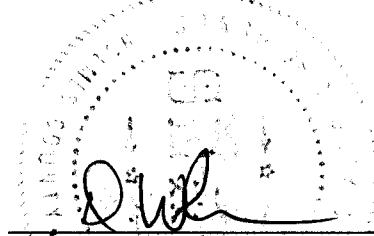
**SECTION 3. SEVERABILITY.**

If, for any reason, any section, phrase, sentence, clause, part or provision of this Ordinance is found to be invalid or unconstitutional by a Court of competent jurisdiction, the same shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of this Ordinance as a whole, or any portion thereof, other than the portion declared to be invalid.

**SECTION 4. EFFECTIVE DATE.**

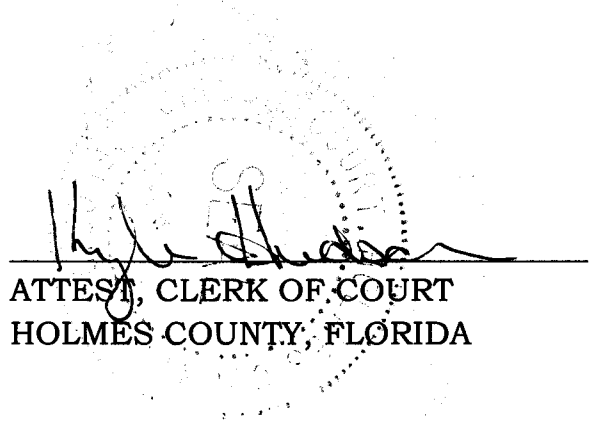
A certified copy of this Amended Ordinance shall be filed with the Department of State by the Clerk to the Board within ten (10) days after adoption of this Amended Ordinance, and this Amended Ordinance shall take effect upon filing with the Department of State.

**PASSED AND DULY ADOPTED** this 25<sup>th</sup> day of August, 2015.



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CHAIRMAN, HOLMES COUNTY  
BOARD OF COUNTY  
COMMISSIONERS



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ATTEST, CLERK OF COURT  
HOLMES COUNTY, FLORIDA