

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Revision of the Seminole County Code as it relates to Article V Legislation

DEPARTMENT: Fiscal Services **DIVISION:** Administration

AUTHORIZED BY: Lisa H. Spriggs **CONTACT:** Lin Polk **EXT.** 7177

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| Agenda Date <u>9/14/04</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/> |
| Public Hearing – 1:30 <input checked="" type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/> |

MOTION/RECOMMENDATION:

Request authorization for the Chairman to execute the following ordinance revising Chapters 50 and 150 of the Seminole County Code, as it relates to Article V legislation.

BACKGROUND:

The proposed ordinance comprehensively revises Chapters 50 and 150 of the Seminole County Code; addressing necessary revisions for conforming the fees, charges, and managerial responsibilities within the code to the last two years of Article V legislative revisions.

This proposed ordinance relates to the funding of certain functions of the State Court System, including the repeal and replacement of current fees (the \$15 assessment imposed on all traffic infractions and citations and the \$65 court cost assessment imposed on all convictions of and pleas of guilty or nolo contendere to misdemeanors, felonies and criminal traffic infractions).

This ordinance includes notification to the Clerk of the County's intent to apply the \$2.50 additional court cost assessment authorized by Section 318.18(11)(c), Florida Statutes, for law enforcement training and criminal justice education programs, and provides for the use of the assessments for funding court facilities, local requirements of the State court system, the Legal Aid Program, the Law Library and Juvenile programs. It proposes to amend the Titles of Part 1 and Part 8 of Chapter 50 and Sections 50.1, 50.2, 50.4, 50.5, 50.130, 50.142, 50.143, 50.151, 50.152, 50.154, 60.155 and 150.4 of the Seminole County Code.

It proposes to repeal Section 11 of Ordinance 2003-29, Ordinance 2004-24, all of Part 5 of Chapter 50, all of Part 2 of Chapter 150, and Sections 50.3, 50.153 and 150.65 of the Seminole County Code.

This ordinance also provides for codification, for severability and providing an effective date to implement this ordinance.

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| Reviewed by: |
| Co Atty: _____ |
| DFS: _____ |
| Other: _____ |
| DCM: <u>LS</u> |
| CM: <u>LP</u> |
| File No. <u>CFSA00</u> |

ECONOMIC IMPACT STATEMENT

DATE: September 14, 2004 DEPT./DIVISION: Fiscal Services /
Administration

CONTACT PERSON: Lin Polk EXTENSION: #7177

DESCRIBE PROJECT/PROPOSAL

The proposed ordinance comprehensively revises Chapters 50 and 150 of the Seminole County Code; addressing necessary revisions for conforming the fees, charges, and managerial responsibilities within the code to the last two years of Article V legislative revisions.

This proposed ordinance provides for the use of assessments charged to fund law enforcement training and criminal justice education programs, court facilities, local requirements of the State court system, the Legal Aid Program, the Law Library and Juvenile programs. It proposes to amend the Titles of Part 1 and Part 8 of Chapter 50 and Sections 50.1, 50.2, 50.4, 50.5, 50.130, 50.142, 50.143, 50.151, 50.152, 50.154, 60.155 and 150.4 of the Seminole County Code. It proposes to repeal Section 11 of Ordinance 2003-29, Ordinance 2004-24, all of Part 5 of Chapter 50, all of Part 2 of Chapter 150, and Sections 50.3, 50.153 and 150.65 of the Seminole County Code.

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT /PROPOSAL UPON THE OPERATION OF THE COUNTY

The ordinance proposes revisions to update the County Code. The direct impact of this project upon the operation of the County is anticipated to be revenue neutral. Revenues generated from the fees imposed are projected to fully support program costs mandated by legislation.

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT /PROPOSAL UPON THE PROPERTY OWNERS/TAXPAYERS/CITIZENS WHO ARE EXPECTED TO BE AFFECTED.

The proposal to amend the Ordinances shall have no direct economic impact upon the property owners/taxpayers of Seminole County. The fees currently imposed would impact citizens in violation of the identified regulations.

IDENTIFY ANY POTENTIAL INDIRECT ECONOMIC IMPACTS, POSITIVE OR NEGATIVE WHICH MIGHT OCCUR AS A RESULT OF THE PROJECT PROPOSAL.

None.

AN ORDINANCE RELATING TO FUNDING OF CERTAIN FUNCTIONS OF THE STATE COURT SYSTEM; IMPOSING A FIFTEEN DOLLAR (\$15.00) ASSESSMENT ON ALL TRAFFIC INFRACTIONS AND CITATIONS; IMPOSING A SIXTY FIVE DOLLAR (\$65.00) COURT COST ASSESSMENT ON ALL CONVICTIONS OF AND PLEAS OF GUILTY OR NOLO CONTENDRE TO MISDEMEANORS, FELONIES AND CRIMINAL TRAFFIC INFRACTIONS; PROVIDING FOR THE USE OF THE ASSESSMENTS FOR FUNDING COURT FACILITIES, LOCAL REQUIREMENTS OF THE STATE COURT SYSTEM, THE LEGAL AID PROGRAM, THE LAW LIBRARY AND JUVENILE PROGRAMS; AMENDING THE TITLES OF PART 1 AND PART 8 OF CHAPTER 50 AND SECTIONS 50.1, 50.2, 50.4, 50.5, 50.127, 50.130, 50.142, 50.143, 50.151, 50.152, 50.154, 50.155 AND 150.4 OF THE SEMINOLE COUNTY CODE; REPEALING SECTION 11 OF ORDINANCE 2003-29, ORDINANCE 2004-24, ALL OF PART 5 OF CHAPTER 50, ALL OF PART 2 OF CHAPTER 150, AND SECTIONS 50.3, 50.153 AND 150.5 OF THE SEMINOLE COUNTY CODE; CREATING NEW SECTION 50.73 OF THE SEMINOLE COUNTY CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature's enactment of Chapter 2003-402, Laws of Florida and subsequent enactment of Chapter 2004-265, Laws of Florida amended and re-amended part of the Florida Statutes directly affecting the types, amounts and allocations of various fees, charges, surcharges and court cost assessments heretofore collected by the County for the purpose of funding the facilities, operation and services of the Circuit and County Court System within Seminole County and the Fred R. Wilson Memorial Law Library; and

WHEREAS, the aforementioned legislation eliminated many of the various fees, charges, surcharges and court cost assessments that were codified within the Seminole County Code and authorized the County to enact certain new fees, charges, surcharges and court cost assessments by ordinance; and

WHEREAS, by Ordinance 2004-24, the Board of County Commissioners (the BCC) adopted the new fees authorized by the Legislature; and

WHEREAS, this ordinance proposes to repeal Ordinance 2004-24 as adoption of this ordinance will make Ordinance 2004-24 unnecessary; and

WHEREAS, various other provisions of the Seminole County Code have been rendered moot or invalid by the various changes to State Law regarding funding of Court facilities and functions; and

WHEREAS, Section 318.18(11)(c), Florida Statutes requires the Board of County Commissioners to give direction to the Clerk as to the County's intent to apply the \$2.50 additional court cost assessment authorized therein for law enforcement training and criminal justice education programs; and

WHEREAS, the Seminole County Home Rule Charter requires that an Economic Impact Statement be prepared to address the potential fiscal 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 citizens of Seminole County and 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 newly authorized surcharge and additional court cost assessment identified herein are essential for meeting the funding requirements of maintaining Facilities housed in the County and used by the State Court System, and for continuing the innovative court system support services specified herein. The Board further finds that the revisions of the Seminole County Code as herein provided are vitally important to providing the legal basis necessary for accommodation of State law and for the smooth functioning of both County government and the elements of the State Court System domiciled in Seminole County.

SECTION 2. REPEAL OF ORDINANCE 2004-24. On the effective date of this ordinance, Ordinance 2004-24 shall stand repealed.

SECTION 3. AMENDMENT OF THE TITLE OF CHAPTER 50, PART I, SEMINOLE COUNTY CODE. The title of Part I of Chapter 50, Seminole County Code is amended to read as follows:

**~~PART 1. EXCESS SERVICE CHARGES FOR PROVIDING
AND MAINTAINING FACILITIES FOR CIRCUIT AND COUNTY COURT~~**

**FEES, CHARGES, SURCHARGES AND ADDITIONAL COURT COST ASSESSMENTS
FOR MAINTAINING FACILITIES AND SERVICES OF THE STATE COURT SYSTEM
WITHIN THE COUNTY.**

SECTION 4. REPEAL AND REPLACEMENT OF SECTION 50.1, SEMINOLE COUNTY CODE. Section 50.1 of the Seminole County Code is repealed in its entirety and replaced with the following:

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, Laws of Florida, there is hereby imposed a surcharge of Fifteen and No/100 Dollars (\$15.00) on all traffic infractions and citations issued within Seminole County. 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 5. REPEAL AND REPLACEMENT OF SECTION 50.2, SEMINOLE COUNTY CODE. Section 50.2 of the Seminole County Code is repealed in its entirety and replaced with the following:

Sec. 50.2. Assessment of Additional Court Costs. Pursuant to the authority of Section 939.185(1)(a), Florida Statutes, as enacted by Section 88 of Chapter 2004-265, Laws of Florida, there is hereby imposed an additional court cost assessment of Sixty-five and No/100 Dollars (\$65.00) upon all persons who plead guilty or nolo contendere, or who are convicted of any misdemeanor, felony or criminal traffic violation within Seminole County. The

funds collected from this assessment shall be used for the four (4) specific categories of court related programs and services and in the amounts required by Section 939.185, Florida Statutes as follows:

(a) Twenty-five percent (25%) to supplement state funding for the elements of the State Court System identified in s. 29.004, Florida Statutes and County funding for local requirements pursuant to Section 29.008(2)(a)2, Florida Statutes, as determined by the Board of County Commissioners.

(b) Twenty five percent (25%) to the County's legal aid program as required under Section 29.008(3)(a), Florida Statutes.

(c) Twenty-five percent (25%) to fund personnel and legal materials for the Fred R. Wilson Memorial Law Library in accordance with Section 150.4 of the Seminole County Code.

(d) Twenty Five percent (25%) to support the Juvenile Assessment Center, teen court and other juvenile alternative programs as determined by the County pursuant to Section 50.153, Seminole County Code.

(e) Any funds allocated pursuant to paragraphs (b), (c) and (d) which remain unspent at the close of the County's Fiscal Year shall be transferred or reallocated for the use described in paragraph (a), above.

SECTION 6. REPEAL AND REPLACEMENT OF SECTION 50.3, SEMINOLE COUNTY CODE. Section 50.3 of the Seminole County Code is repealed in its entirety and replaced with the following:

Sec. 50.3. Accounting and Reporting of Funds Collected and Expended Pursuant to Section 50.2. The amount of funds collected and an itemized list of all expenditures pursuant to Section 50.2 shall be reported quarterly to the Governor, the Chief Financial Officer of the State of Florida, the Speaker of the House of Representatives and the President of the Senate. Such reporting shall commence with the quarter ending September 30, 2004 and shall be in a format approved by the Florida Supreme Court.

SECTION 7. REPEAL OF SECTION 50.4, SEMINOLE COUNTY CODE.
Section 50.4 of the Seminole County Code is hereby repealed in its entirety.

SECTION 8. AMENDMENT OF SECTION 50.5, SEMINOLE COUNTY CODE.
Section 50.5 of the Seminole County Code is hereby amended to read as follows:

Sec. 50.5. Expenditure of funds. All funds collected under section 50.1 of this Part and transferred to the general fund shall be expended by the Board of County Commissioners to the extent required for the purpose of providing and maintaining facilities for the use of the ~~Circuit and County Court~~ State Court System in Seminole County. The Board of County Commissioners may utilize portions of said funds to create an operations and maintenance reserve, and shall not be required hereby to expend all funds in any given fiscal year. All funds collected pursuant to section 50.2 of this Part shall be deposited in a designated account within the general fund and then applied as required by section 50.2.

SECTION 9. CREATION OF SECTION 50.73, SEMINOLE COUNTY CODE.

There is hereby created a new Section 50.73, within Part 2, Chapter 50, Seminole County Code for the purpose of directing the Clerk to remit to the Board of County Commissioners those additional court cost assessments imposed by Section 318.18(11)(c), Florida Statutes. Section 50.73 shall read as follows:

Sec. 50.73. Application of Additional Court Cost Assessments to Criminal Justice and Education Programs. Pursuant to the authority of Section 318.18(11)(c), Florida Statutes, as enacted by Section 60, Chapter 2004-265, Laws of Florida, the Clerk is hereby directed to remit on a monthly basis all proceeds of the \$2.50 additional court assessment imposed on civil traffic infractions to the County of Seminole. Such funds shall be applied by the County for criminal justice education and training programs in the manner required by Section 50.72 of this Part and consistent with the requirements of Section 938.15, Florida Statutes.

SECTION 10. REPEAL OF PART 5, CHAPTER 50, SEMINOLE COUNTY CODE. Part 5 of Chapter 50, Seminole County Code, entitled Mediation and Arbitration Service Charges, consisting of Sections 50.101, 50.102, 50.103, 50.104, 50.105, 50.106, 50.107, 50.108, 50.109, 50.110 and 50.111 are hereby repealed in their entirety.

SECTION 11. AMENDMENT OF SECTION 50.127, SEMINOLE COUNTY CODE. Section 50.127 within Part 6 of Chapter 50, Seminole County Code is hereby amended to read as follows:

Sec. 50.127. Deposit of funds. Funds received by the Clerk of the Court ~~pursuant to this Part shall be paid by the Clerk of the Court to the Board of County Commissioners at least once a month.~~ from fines, forfeitures and court costs assessed for noncriminal parking violations shall be disbursed in accordance with the terms of the charter or code of the municipality or the County where the violation occurred pursuant to Section 318.325, Florida Statutes. In the case of funds collected on violations within the unincorporated areas of Seminole County, such amounts shall be remitted to the Board of County Commissioners monthly.

SECTION 12. AMENDMENT TO SECTION 50.130, SEMINOLE COUNTY CODE. Section 50.130, Seminole County Code is hereby amended to read as follows:

Sec. 50.130. Sunset Provision.

(a) ~~Unless~~ If the Board of County Commissioners adopts a resolution on or before September 30, ~~1996~~ of any fiscal year, finding that the continuing effectiveness of the Civil Traffic Infraction Hearing Officer Program is not cost effective, ~~and~~ no longer accomplishes a public purpose and that there is no longer a need for a continuation of the Program, then this Part shall be of no further force or effect on the October 1, ~~1996~~ next succeeding adoption of the resolution. ~~If the Board adopts a resolution, the Board may continue the effectiveness of this Part for a one year period. On or before September 30 of each succeeding year, the Board may further continue the effectiveness of this Part in the manner specified in this subsection.~~

(b) In the event that the Board does not continue the effectiveness of this Part as provided in subsection (a) above, then all funds held in the trust fund established in Section 50.123 shall be transferred to the appropriate County General Fund account to help defray the expenses incurred by the County to the functioning of the County Court.

SECTION 13. AMENDMENT TO SECTION 50.142, SEMINOLE COUNTY CODE. Seminole County Code Section 50.142 is hereby amended to read as follows:

Sec. 50.142. Authority. This Part is enacted pursuant to Section ~~939.017~~ 938.13, Florida Statutes, which Section authorizes a county as a political subdivision of the State to impose by ordinance an additional separate \$15.00 court cost in accordance with the circumstances set forth therein.

SECTION 14. AMENDMENT TO SECTION 50.143, SEMINOLE COUNTY CODE. Seminole County Code Section 50.143 is hereby amended to read as follows:

Sec. 50.143. Additional court cost imposed. There is hereby imposed an additional court cost in the amount of \$15.00 to be levied upon each criminal defendant in any court located in Seminole County found guilty of any misdemeanor involving the unlawful use of drugs or alcohol. There is hereby created a trust fund to be designated the Alcohol and Other Drug Abuse Trust Fund pursuant to Section 893.165, Florida Statutes. Fourteen dollars (\$14.00) of ~~each~~ said additional court cost, ~~if any~~, when such additional court cost is collected by the Clerk of the Circuit

~~Court, shall be remitted to the Treasurer of the State of Florida to be deposited to the credit of the State of Florida Department of Health and Rehabilitative Services pursuant to Section 939.017(1)(b), Florida Statutes (1993). Such funds shall be allocated to local substance abuse treatment programs in accordance with Section 397.321, Florida Statutes (1993).~~
forwarded to Seminole County and deposited by the County to the Alcohol and Other Drug Abuse Trust Fund, pursuant to the requirement of Section 893.165(2), Florida Statutes. One dollar of each \$15.00 collected shall be retained by the Clerk of the Court as a service charge.

SECTION 15. REPEAL OF SECTION 50.144 SEMINOLE COUNTY CODE.

Section 50.144, Seminole County Code is hereby repealed.

SECTION 16. AMENDMENT TO THE TITLE OF PART 8, OF CHAPTER 50, SEMINOLE COUNTY CODE. The Title to Part 8 of Chapter 50, Seminole County Code is hereby amended to read as follows:

PART 8. SEMINOLE COUNTY JUVENILE ASSESSMENT CENTER AND OTHER JUVENILE ALTERNATIVE PROGRAM ORDINANCE.

SECTION 17. AMENDMENT TO THE RECITAL SECTION OF PART 8, SEMINOLE COUNTY CODE. The recital section of Part 8, Seminole County Code is hereby amended to read as follows:

~~WHEREAS, the Florida Legislature created Section 775.0833 Florida Statutes, authorizing each county in the State to enact an ordinance imposing an additional \$3.00 court cost in specified cases; and~~

WHEREAS, consistent with Section ~~775.0833~~ 938.17, Florida Statutes, the Sheriff of Seminole County, Florida is a partner in

a written agreement with the Florida Department of Juvenile Justice to participate in a local Juvenile Assessment Center; and

WHEREAS, the court cost authorized by Section ~~775.0833~~ 938.17, Florida Statutes, shall only be imposed in a county in which the Board of County Commissioners adopts an ordinance requiring collection of ~~that cost~~ costs pursuant to Section 939.185(1)(a), Florida Statutes, as enacted by Section 88, Chapter 2004-265, Laws of Florida; and

WHEREAS, the Seminole County Board of County Commissioners has determined it is of great benefit to the public health, welfare, and safety of Seminole County and its residents that such funds be generated and made available for the implementation and operation of a Juvenile Assessment Center and other juvenile offender alternative programs through the imposition of the aforementioned additional court cost; and

WHEREAS, the County intends to apply twenty five percent (25%) of the \$65.00 additional court cost assessment collected pursuant to section 50.2 of this Code towards the funding of the Juvenile Assessment Center and for other juvenile offender alternative programs;

~~**WHEREAS**, the Seminole County Home Rule Charter requires that an Economic Impact Statement be prepared to address the potential fiscal 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 in accordance with the provisions of the Seminole County Home Rule Charter.~~

SECTION 18. AMENDMENT TO SECTION 50.151, SEMINOLE COUNTY CODE. Section 50.151 shall be amended to read as follows:

Sec. 50.151. Title. This Part shall be known and may be cited as the "Seminole County Juvenile Assessment Center and Other Juvenile Alternative Program Ordinance."

SECTION 19. AMENDMENT TO SECTION 50.152, SEMINOLE COUNTY CODE. Section 50.152 shall be amended to read as follows:

Sec. 50.152. Authority. This Part is enacted pursuant to Section ~~775.0833~~ 938.17, Florida Statutes, which section authorizes a county as a political subdivision of the State to impose by ordinance an additional, ~~separate \$3.00~~ court cost assessment in accordance with ~~the circumstances set forth therein~~ Section 939.185(1)(a), Florida Statutes.

SECTION 20. REPEAL OF SECTION 50.153, SEMINOLE COUNTY CODE AND RESERVATION OF SECTION NUMBER. Section 50.153 of the Seminole County Code is hereby repealed.

SECTION 21. AMENDMENT TO SECTION 50.154, SEMINOLE COUNTY CODE. Section 50.154 shall be amended to read as follows:

Sec. 50.154. Collection and disbursement of funds. ~~by the Clerk.~~ The Clerk of the Circuit and County Court shall collect the ~~\$3.00~~ \$65.00 court costs assessed by the Court pursuant to Section 939.185(1)(a), Florida Statutes and Section 50.2 of this Code and deposit that twenty five percent (25%) portion of said funds designated for use of the juvenile offender programs in an

appropriate, designated account established by the ~~Clerk~~ Board of County Commissioners provided; however, that the County may designate its general fund to be the depository for the purposes of this Section. ~~The Clerk may withhold five percent of those funds for the costs of administering the collection of assessments.~~ The ~~Clerk~~ County shall release funds for the Juvenile Assessment Center to the Sheriff upon request. The ~~Clerk~~ County shall, also, at the request of the Sheriff, receive and deposit in the designated account any additional funds obtained by the Sheriff for implementation or operation of the Juvenile Assessment Center, and release those funds to the Sheriff upon request. Remaining portions of the funds not used for the Juvenile Assessment Center may be used by the County for any other juvenile alternative programs consistent with the requirements of Section 939.185 (1)(a)4, Florida Statutes.

SECTION 22. AMENDMENT TO Section 50.155, SEMINOLE COUNTY CODE. Section 50.155 shall be amended to read as follows:

Sec. 50.155. Responsibilities of the Sheriff. The Sheriff shall request funds from the ~~Clerk~~ County as needed for the implementation or operation of the Juvenile Assessment Center. The Sheriff shall account for all funds that have been deposited into the designated account by August 1 annually in a written report to the County's Juvenile Justice Council, if funds are used for the Juvenile Assessment Center and to the Board of County Commissioners. The Sheriff may deposit any other funds obtained for the implementation or operation of the juvenile

assessment center into the designated account, and the Sheriff may access those funds by request to the ~~Clerk of Court~~ County.

SECTION 23. AMENDMENT TO SECTION 150.4, SEMINOLE COUNTY CODE. Section 150.4 Seminole County Code is hereby amended to read as follows:

Sec. 150.4. Excess service charges in Circuit Court.

(a) Pursuant to the authority of ~~Section 28.241, Florida Statutes, there is hereby imposed for the purposes therein authorized, to wit: The Law Library Fund, an excess service charge in the amount of \$9.00 on each civil action suit or proceeding in the Circuit Court including probate proceedings, said excess service charge imposed to be in addition to the regular service charge for filing of any civil action suit or proceeding as established by Section 28.241(1) and (3), Florida Statutes.~~ Section 939.185(1)(a)3, Florida Statutes and Section 50.2(c) of the Seminole County Code, twenty five percent (25%) of the additional court cost assessment authorized and imposed therein shall be applied by the County for the funding of personnel and legal materials for the Fred R. Wilson Memorial Law Library.

(b) The funds collected by the Clerk pursuant to the provisions of this Section shall be paid over to the County monthly. The County shall then remit the funds to the Trustees of the Fred R. Wilson Memorial Law Library and utilized by said Trustees as authorized by law who shall only use the funds for the purposes specified in paragraph (a), of this Section.

SECTION 24. REPEAL OF SECTION 150.5 AND PART 2 OF CHAPTER 155, SEMINOLE COUNTY CODE. Sections 150.5 and Part 2 of Chapter 155, consisting of Sections 150.21 and 150.24 are hereby repealed.

SECTION 25. REPEAL OF SECTION 11 OF ORDINANCE 2003-29. Section 11 of Ordinance 2003-29 is hereby repealed.

SECTION 26. 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, 2, 25, 26, 27 and 28 of this Ordinance shall not be codified.

SECTION 27. SEVERABILITY. If any 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 28. EFFECTIVE DATE. This Ordinance shall take effect upon filing a copy thereof with the Florida Department of State by the Clerk of the Board of County Commissioners.

ENACTED this _____ day of _____, 2004.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida

By: _____
DARYL G. MCLAIN, Chairman