

Committee on Judiciary

CS/CS/SB 838 — Clerks of the Circuit Court

by Appropriations Committee; Judiciary Committee; and Senators Boyd, Bracy, Wright, Torres, and Hooper

The bill amends laws related to the funding of the clerks of court to:

- Require the Clerk of Courts Operations Corporation to establish and maintain a budget reserve of up to 16 percent of the budget from the previous year;
- Specify that portions of certain service charges that are required to be transferred to the General Revenue Fund only apply for performing services related to a “court record”; and
- Change the procedure for clerks of the circuit court to receive payments for management of the jury process to a reimbursement basis.

The bill amends laws related to monies collectible by a clerk of court to:

- Specify that fines, costs, service charges, and court costs are due immediately upon assessment;
- Require that a person owing monies who cannot immediately pay must contact the clerk and set up a payment plan; except that a person incarcerated must contact the clerk within 30 days after release from incarceration to pay or set up a payment plan;
- Require that the clerks of court create a statewide uniform payment plan form for monies owed; and
- Require that notice of the availability of payment plans be given to a person when receiving a traffic infraction or a notice of suspension of driving privilege.

If approved by the Governor, the provisions regarding clerk’s budgeting take effect upon becoming law, the provisions regarding jury reimbursement and designation of court-related fees take effect July 1, 2021, and the remaining provisions take effect October 1, 2021.

Vote: Senate 40-0; House 117-0