

1                                   A bill to be entitled  
2           An act relating to fines and court costs;  
3           creating s. 938.35, F.S.; providing that a  
4           county may assign the collection of fines,  
5           court costs, and other costs imposed by the  
6           court arising from offenses committed in the  
7           county and remaining unpaid after a certain  
8           period to a private attorney or collection  
9           agency under specified circumstances; providing  
10          guidelines and procedures; providing attorney's  
11          fees to offset collection costs; providing a  
12          limitation; providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Section 938.35, Florida Statutes, is  
17 created to read:

18           938.35 Collection of court-related financial  
19 obligations.--Any provision of law notwithstanding, a county  
20 may pursue the collection of any fines, court costs, or other  
21 costs imposed by the court which remain unpaid for 90 days or  
22 more, or refer such collection to a private attorney who is a  
23 member in good standing of The Florida Bar or collection agent  
24 who is registered and in good standing pursuant to chapter  
25 559. In pursuing the collection of such unpaid financial  
26 obligations through a private attorney or collection agent,  
27 the governing body of the county must determine that such  
28 collection is cost-effective and the county must follow  
29 applicable procurement practices. The costs of collection,  
30 including a reasonable attorney's fee, may be recovered,

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1 except that such fees and costs of collection may not exceed  
2 40 percent of the total fines and costs owed.

3 Section 2. This act shall take effect July 1, 1998.  
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