

By the Committee on Judiciary and Representative Byrd

1 A bill to be entitled
2 An act relating to trial court jurisdiction;
3 amending s. 34.01, F.S.; giving county courts
4 jurisdiction over certain third degree
5 felonies; increasing the amount in controversy
6 over which the county court has jurisdiction;
7 correcting a reference to Florida rules of
8 court; amending s. 26.012, F.S.; removing
9 circuit court jurisdiction over certain third
10 degree felonies; providing an effective date.

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

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14 Section 1. Subsections (1) and (2) of section 34.01,
15 Florida Statutes, are amended to read:

16 34.01 Jurisdiction of county court.--

17 (1) County courts shall have original jurisdiction:

18 (a) In all third degree felonies under s.
19 316.193(2)(b), and misdemeanor cases not cognizable by the
20 circuit courts;

21 (b) Of all violations of municipal and county
22 ordinances; and

23 (c) As to causes of action accruing:

24 1. ~~Before July 1, 1980, of all actions at law in which~~
25 ~~the matter in controversy does not exceed the sum of \$2,500,~~
26 ~~exclusive of interest, costs, and attorney's fees, except~~
27 ~~those within the exclusive jurisdiction of the circuit courts.~~

28 2. ~~On or after July 1, 1980, of all actions at law in~~
29 ~~which the matter in controversy does not exceed the sum of~~
30 ~~\$5,000, exclusive of interest, costs, and attorney's fees,~~

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1 ~~except those within the exclusive jurisdiction of the circuit~~
2 ~~courts.~~

3 ~~3. On or after July 1, 1990, of actions at law in~~
4 ~~which the matter in controversy does not exceed the sum of~~
5 ~~\$10,000, exclusive of interest, costs, and attorney's fees,~~
6 ~~except those within the exclusive jurisdiction of the circuit~~
7 ~~courts.~~

8 1.4. Before ~~On or after~~ July 1, 2000 ~~1992~~, of actions
9 at law in which the matter in controversy does not exceed the
10 sum of \$15,000, exclusive of interest, costs, and attorney's
11 fees, except those within the exclusive jurisdiction of the
12 circuit courts.

13 2. On or after July 1, 2000, of actions at law in
14 which the matter in controversy does not exceed the sum of
15 \$25,000, exclusive of interest, costs, and attorney's fees,
16 except those within the exclusive jurisdiction of the circuit
17 courts.

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19 The party instituting any civil action, suit, or proceeding
20 pursuant to this schedule where the amount in controversy is
21 in excess of \$5,000 shall pay to the clerk of the county court
22 the filing fees and service charges in the same amounts and in
23 the same manner as provided in s. 28.241.

24 (2) The county courts shall have jurisdiction
25 previously exercised by county judges' courts other than that
26 vested in the circuit court by s. 26.012, except that county
27 court judges may hear matters involving dissolution of
28 marriage under the simplified dissolution procedure pursuant
29 to the Rule 1.611(c), Florida Family Law Rules of Civil
30 Procedure or may issue a final order for dissolution in cases
31 where the matter is uncontested, and the jurisdiction

1 previously exercised by county courts, the claims court, small
2 claims courts, small claims magistrates courts, magistrates
3 courts, justice of the peace courts, municipal courts, and
4 courts of chartered counties, including but not limited to the
5 counties referred to in ss. 9, 10, 11, and 24, Art. VIII of
6 the State Constitution of 1885.

7 Section 2. Paragraph (d) of subsection (2) of section
8 26.012, Florida Statutes, is amended to read:

9 26.012 Jurisdiction of circuit court.--

10 (2) They shall have exclusive original jurisdiction:

11 (d) Of all felonies, except those third degree
12 felonies under s. 316.193(2)(b), and of all misdemeanors
13 arising out of the same circumstances as a felony which is
14 also charged;

15 Section 3. This act shall take effect July 1, 2000.

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18 HOUSE SUMMARY

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20 Increases to \$25,000 the amount in controversy over which
21 the county court has jurisdiction. Provides that county
22 courts shall have jurisdiction of certain third degree
23 DUI felonies under s. 316.193(2)(b), F.S. See bill for
24 details.

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