

By the Committee on Fiscal Policy and Senator Brown-Waite

309-660-00

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A bill to be entitled
An act relating to trust funds; re-creating the
Public Records Modernization Trust Fund without
modification; carrying forward current balances
and continuing current sources and uses
thereof; amending s. 28.24, F.S.; abrogating
the expiration of provisions relating to the
trust fund; providing an effective date.

WHEREAS, the Legislature wishes to extend the life of
the Public Records Modernization Trust Fund, which is
otherwise scheduled to be terminated pursuant to
constitutional mandate, and

WHEREAS, the Legislature has reviewed the trust fund
before its scheduled termination date and has found that it
continues to meet an important public purpose, and

WHEREAS, the Legislature has found that existing public
policy concerning the trust fund sets adequate parameters for
its use, NOW, THEREFORE,

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

Section 1. (1) The Public Records Modernization Trust
Fund, which is to be terminated pursuant to Section 19(f),
Article III of the State Constitution on November 4, 2000, is
re-created.

(2) All current balances of the trust fund are carried
forward, and all current sources and uses of the trust fund
are continued.

Section 2. Section 28.24, Florida Statutes, is amended
to read:

1	(b) For making copies by photographic process of any	
2	instrument in the public records of more than 14 inches by 8	
3	1/2 inches, per page.....	5.00
4	(9) For making microfilm copies of any public records:	
5	(a) 16 mm 100' microfilm roll.....	25.00
6	(b) 35 mm 100' microfilm roll.....	35.00
7	(c) Microfiche, per fiche.....	2.00
8	(10) For copying any instrument in the public records	
9	by other than photographic process, per page.....	4.00
10	(11) For writing any paper other than herein	
11	specifically mentioned, same as for copying, including signing	
12	and sealing.....	4.00
13	(12) For indexing each entry not recorded.....	1.00
14	(13) For receiving money into the registry of court:	
15	(a)1. First \$500, percent.....	2
16	2. Each subsequent \$100, percent.....	1
17	(b) Eminent domain actions, per deposit.....	\$100.00
18	(14) For examining, certifying, and recording plats	
19	and for recording condominium exhibits larger than 14 inches	
20	by 8 1/2 inches:	
21	(a) First page	30.00
22	(b) Each additional page.....	15.00
23	(15) For recording, indexing, and filing any	
24	instrument not more than 14 inches by 8 1/2 inches, including	
25	required notice to property appraiser where applicable:	
26	(a) First page or fraction thereof.....	5.00
27	(b) Each additional page or fraction thereof.....	4.00
28	(c) For indexing instruments recorded in the official	
29	records which contain more than four names, per additional	
30	name.....	1.00
31		

1 (d) An additional service charge shall be paid to the
2 clerk of the circuit court to be deposited in the Public
3 Records Modernization Trust Fund for each instrument listed in
4 s. 28.222, except judgments received from the courts and
5 notices of lis pendens, recorded in the official records:

- 6 1. First page 1.00
7 2. Each additional page 0.50
8

9 Said fund shall be held in trust by the clerk and used
10 exclusively for equipment and maintenance of equipment,
11 personnel training, and technical assistance in modernizing
12 the public records system of the office. In a county where
13 the duty of maintaining official records exists in an office
14 other than the office of the clerk of the circuit court, the
15 clerk of the circuit court is entitled to 25 percent of the
16 moneys deposited into the trust fund for equipment,
17 maintenance of equipment, training, and technical assistance
18 in modernizing the system for storing records in the office of
19 the clerk of the circuit court. The fund may not be used for
20 the payment of travel expenses, membership dues, bank charges,
21 staff-recruitment costs, salaries or benefits of employees,
22 construction costs, general operating expenses, or other costs
23 not directly related to obtaining and maintaining equipment
24 for public records systems or for the purchase of furniture or
25 office supplies and equipment not related to the storage of
26 records. On or before December 1, 1995, and on or before
27 December 1 of each year immediately preceding each year during
28 which the trust fund is scheduled for legislative review under
29 s. 19(f)(2), Art. III of the State Constitution, each clerk of
30 the circuit court shall file a report on the Public Records
31 Modernization Trust Fund with the President of the Senate and

1 the Speaker of the House of Representatives. The report must
2 itemize each expenditure made from the trust fund since the
3 last report was filed; each obligation payable from the trust
4 fund on that date; and the percentage of funds expended for
5 each of the following: equipment, maintenance of equipment,
6 personnel training, and technical assistance. The report must
7 indicate the nature of the system each clerk uses to store,
8 maintain, and retrieve public records and the degree to which
9 the system has been upgraded since the creation of the trust
10 fund. ~~This paragraph expires November 4, 2000, and the~~
11 ~~Legislature shall review this paragraph to determine the~~
12 ~~necessity for the Public Records Modernization Trust Fund~~
13 ~~prior to that date.~~

14 (16) Oath, administering, attesting, and sealing, not
15 otherwise provided for herein..... 2.00

16 (17) For validating certificates, any authorized
17 bonds, each..... 2.00

18 (18) For preparing affidavit of domicile..... 5.00

19 (19) For exemplified certificates, including signing
20 and sealing.....
21 4.00

22 (20) For authenticated certificates, including signing
23 and sealing.....
24 4.00

25 (21)(a) For issuing and filing a subpoena for a
26 witness, not otherwise provided for herein (includes writing,
27 preparing, signing, and sealing).....
28 4.00

29 (b) For signing and sealing only..... 1.00

30 (22) For issuing venire facias (includes writing,
31 preparing, signing, and sealing)..... 5.00

- 1 (23) For paying of witnesses and making and reporting
2 payroll to State Comptroller, per copy, per page..... 5.00
3 (24) For approving bond..... 5.00
4 (25) For searching of records, for each year's search
5 1.00
6 (26) For processing an application for a tax deed sale
7 (includes application, sale, issuance, and preparation of tax
8 deed, and disbursement of proceeds of sale), other than excess
9 proceeds 60.00
10 (27) For disbursement of excess proceeds of tax deed
11 sale, first \$100 or fraction thereof.....10.00
12 (28) Upon receipt of an application for a marriage
13 license, for preparing and administering of oath; issuing,
14 sealing, and recording of the marriage license; and providing
15 a certified copy..... 20.00
16 (29) For solemnizing matrimony..... 20.00
17 (30) For sealing any court file or expungement of any
18 record..... 25.00
19 (31) For receiving and disbursing all restitution
20 payments, per payment..... 2.00
21 (32) Postal charges incurred by the clerk of the
22 circuit court in any mailing by certified or registered mail
23 shall be paid by the party at whose instance the mailing is
24 made.
25 (33) For furnishing an electronic copy of information
26 contained in a computer database: a fee as provided for in
27 chapter 119.
28 Section 3. This act shall take effect November 4,
29 2000.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 606

This amendment repeals current language establishing the trust fund expiration date and the schedule for the next review of the Public Records Modernization Trust Fund.