

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Planas offered the following:

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3 **Amendment (with directory and title amendments)**

4 Between lines 1245 and 1246, insert:

5 (6) The Florida Clerk of Court Operations Corporation may
6 approve funding and adjust the maximum of a clerk's authorized
7 court-related budget in excess of the amount otherwise
8 authorized to be funded in this section if the corporation finds
9 that additional funding is necessary for the clerk to perform
10 the standard list of court-related functions in s. 28.35(4)(a)
11 and one of the following conditions exists:

12 (a) The additional funding is reasonable and necessary to
13 pay the cost of performing new or additional functions required
14 by changes in law or court rule. To determine the necessary
15 additional functions, the Clerks of Court Corporation must

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16 propose to the Department of Financial Services a methodology to
17 determine any increases. The Department of Financial Services
18 shall review and approve any such methodology before the Clerks
19 of Court Corporation may use it to approve an increase in the
20 maximum annual budget for any clerk of court.

21 (b) The additional funding is reasonable and necessary to
22 pay the additional costs required for the clerk to support
23 increases in the number of judges or magistrates authorized by
24 the Legislature. To determine the necessary additional funding,
25 the Clerks of Court Corporation must propose a staffing model,
26 including the number or new staff, the cost of such staff, and
27 the expenses for each new judge or magistrate. The Department of
28 Financial Services shall review and approve any such staffing
29 model before it may be used to approve an increase in the
30 maximum annual budget for any clerk of court.

31 (c) The additional funding is reasonable and necessary to
32 satisfy court-related expenses incurred by the clerk which
33 result from increases in previously funded fixed expenses
34 outside the control of the clerk or to meet increases resulting
35 from contractual obligations entered into prior to July 1, 2004.

36
37 Before approving additional funding in excess of the maximum
38 annual budget amounts, as authorized by this subsection, the
39 corporation must document in detail the factual basis for the
40 approval. Within 30 days after approving additional funding, the
41 corporation shall notify the Chief Financial Officer of the

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42 action and submit to him or her the documentation relating to
43 the factual basis for the approval.

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45 ===== D I R E C T O R Y A M E N D M E N T =====

46 Remove line 1194 and insert:
47 Florida Statutes, are amended, and subsection (6) is added to
48 said section, to read:

49
50 ===== T I T L E A M E N D M E N T =====

51 Remove line 107 and insert:
52 reference to the Chief Financial Officer; allowing the
53 Florida Clerks of Court Operations Corporation to approve
54 funding and adjust the maximum of a clerk's authorized
55 court-related budget in certain circumstances; amending s.