

By the Committee on Justice Appropriations; and Senator Crist

604-2000-06

1 A bill to be entitled
2 An act relating to trust funds; amending s.
3 25.241, F.S.; directing that certain fees be
4 deposited into the Operating Trust Fund of the
5 state court system; amending s. 25.383, F.S.;
6 directing that certain fees be deposited into
7 the Operating Trust Fund of the state courts
8 system; creating s. 25.3844, F.S.; creating the
9 Operating Trust Fund within the state courts
10 system; providing for sources of funds and
11 purposes; providing for future review and
12 termination or re-creation of the trust fund;
13 amending s. 29.0195, F.S.; directing that
14 certain fees be deposited into the Operating
15 Trust Fund of the state courts system; amending
16 s. 35.22, F.S.; directing that certain fees be
17 deposited into the Operating Trust Fund of the
18 state courts system; providing an effective
19 date.

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

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23 Section 1. Subsection (5) of section 25.241, Florida
24 Statutes, is amended to read:

25 25.241 Clerk of Supreme Court; compensation;
26 assistants; filing fees, etc.--

27 (5) The Clerk of the Supreme Court is hereby required
28 to prepare a statement of all fees collected each month and
29 remit such statement, together with all fees collected by him
30 or her, to the Chief Financial Officer. The Chief Financial
31 Officer shall deposit \$250 of each \$300 filing fee and all

1 other fees collected into the General Revenue Fund. The Chief
2 Financial Officer shall deposit \$50 of each filing fee
3 collected into the state court's Operating Grants and
4 ~~Donations~~ Trust Fund to fund court improvement projects as
5 authorized in the General Appropriations Act.

6 Section 2. Section 25.383, Florida Statutes, is
7 amended to read:

8 25.383 Standards for court reporters; procedures;
9 rules of professional conduct, discipline, and training.--The
10 Supreme Court shall establish minimum standards and procedures
11 for qualifications, certification, discipline, and training
12 for court reporters. The Supreme Court shall determine the
13 amount of fees to charge applicants for certification and
14 renewal of certification. Fees shall be set in an amount
15 necessary to recover the full cost of administering the
16 certification process. All proceeds from fees collected
17 pursuant to this section shall be deposited into the Operating
18 ~~Grants and Donations~~ Trust Fund within the state courts. The
19 Supreme Court may appoint or employ such personnel as are
20 necessary to assist the court in exercising its powers and
21 performing its duties under this section.

22 Section 3. Section 25.3844, Florida Statutes, is
23 created to read:

24 25.3844 Operating Trust Fund.--

25 (1) The Operating Trust Fund is created within the
26 state courts system.

27 (2) The fund is established for use as a depository of
28 fees and related revenue for the purpose of supporting the
29 program operations of the judicial branch and for such other
30 purposes as may be appropriate, and shall be expended only
31 pursuant to legislative appropriation or an approved amendment

1 to the agency's operating budget pursuant to the provisions of
2 chapter 216.

3 (3) In accordance with s. 19(f)(2), Art. III of the
4 State Constitution, the Operating Trust Fund shall, unless
5 terminated sooner, be terminated on July 1, 2010. Before its
6 scheduled termination, the trust fund shall be reviewed as
7 provided in s. 215.3206(1) and (2).

8 Section 4. Section 29.0195, Florida Statutes, is
9 amended to read:

10 29.0195 Recovery of expenditures for state-funded
11 services.--The trial court administrator of each circuit shall
12 recover expenditures for state-funded services when those
13 services have been furnished to a user of the state court
14 system who possesses the present ability to pay. The rate of
15 compensation for such services shall be the actual cost of the
16 services, including the cost of recovery. The trial court
17 administrator shall deposit moneys recovered under this
18 section in the Operating Grants and Donations Trust Fund
19 within the state court system. The trial court administrator
20 shall recover the costs of court reporter services and
21 transcription; court interpreter services, including
22 translation; and any other service for which state funds were
23 used to provide a product or service within the circuit. This
24 section does not authorize cost recovery from entities
25 described in ss. 29.005, 29.006, and 29.007.

26 Section 5. Subsection (6) of section 35.22, Florida
27 Statutes, is amended to read:

28 35.22 Clerk of district court; appointment;
29 compensation; assistants; filing fees; teleconferencing.--

30 (6) The clerk of each district court of appeal is
31 required to deposit all fees collected in the State Treasury

1 | to the credit of the General Revenue Fund, except that \$50 of
2 | each \$300 filing fee collected shall be deposited into the
3 | state court's Operating ~~Grants and Donations~~ Trust Fund to
4 | fund court improvement projects as authorized in the General
5 | Appropriations Act. The clerk shall retain an accounting of
6 | each such remittance.

7 | Section 6. This act shall take effect July 1, 2006.

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9 | STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
10 | COMMITTEE SUBSTITUTE FOR
11 | Senate Bill 2348

12 | The committee substitute amends sections 25.241(5), 25.383,
13 | 29.0195, and 35.22(6), F.S., to direct certain fees to be
14 | deposited into the Operating Trust Fund of the state courts
15 | system instead of the Grants and Donations Trust Fund.

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