

1 A bill to be entitled
 2 An act relating to determinations of civil indigent
 3 status; amending s. 57.082, F.S.; providing for waiving
 4 certain court services costs for certain indigent persons;
 5 providing an effective date.

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

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 9 Section 1. Subsection (5) of section 57.082, Florida
 10 Statutes, is amended to read:

11 57.082 Determination of civil indigent status.--

12 (5) PROCESSING CHARGE; PAYMENT PLANS.--A person who the
 13 clerk or the court determines is indigent for civil proceedings
 14 under this section shall:

15 (a) Have all costs waived for court services listed in s.
 16 57.081 if the indigent person's income is equal to or below 150
 17 percent of the then-current federal poverty guidelines
 18 prescribed for the size of the household of the applicant by the
 19 United States Department of Health and Human Services or if the
 20 indigent person is receiving Temporary Assistance for Needy
 21 Families-Cash Assistance, poverty-related veterans' benefits, or
 22 Supplemental Security Income (SSI); or

23 (b) Be enrolled in a payment plan under s. 28.246 and
 24 shall be charged a one-time administrative processing charge
 25 under s. 28.24(26)(c). A monthly payment amount, calculated
 26 based upon all fees and all anticipated costs, is presumed to
 27 correspond to the person's ability to pay if it does not exceed
 28 2 percent of the person's annual net income, as defined in

HB 1009

2007

29 subsection (1), divided by 12. The person may seek review of the
30 clerk's decisions regarding a payment plan established under s.
31 28.246 in the court having jurisdiction over the matter.

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33 A case may not be impeded in any way, delayed in filing, or
34 delayed in its progress, including the final hearing and order,
35 due to nonpayment of any fees by an indigent person.

36 Section 2. This act shall take effect July 1, 2007.