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LEGISLATIVE ACTION

Senate

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The Conference Committee on CS for SB 1718 recommended the following:

Senate Conference Committee Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 26.57, Florida Statutes, is amended to read:

26.57 Temporary designation of county court judge to preside over circuit court cases. ~~A In each county where there is no resident circuit judge and the county court judge has been a member of the bar for at least 5 years and is qualified to be~~



658444

12 ~~a circuit judge,~~ the county court judge may be designated on a
13 temporary basis to preside over circuit court cases by the Chief
14 Justice of the Supreme Court upon recommendation of the chief
15 judge of the circuit. He or she may be assigned to exercise all
16 county and circuit court jurisdiction in the county, except
17 appeals from the county court. In addition, he or she may be
18 required to perform the duties of circuit judge in other
19 counties of the circuit as time may permit and as the need
20 arises, as determined by the chief judge of the circuit. A
21 county court judge designated to preside over circuit court
22 cases shall receive the same salary as a circuit court judge, to
23 the extent that funds are specifically appropriated by law for
24 such purposes.

25 Section 2. Subsection (4) of section 27.511, Florida
26 Statutes, is amended to read:

27 27.511 Offices of criminal conflict and civil regional
28 counsel; legislative intent; qualifications; appointment;
29 duties.-

30 (4) ~~(a)~~ Each regional counsel shall serve on a full-time
31 basis and may not engage in the private practice of law while
32 holding office. Assistant regional counsel shall give priority
33 and preference to their duties as assistant regional counsel and
34 may not otherwise engage in the practice of criminal law.
35 However, part-time assistant regional counsel may practice
36 criminal law for private payment so long as the representation
37 does not result in a legal or ethical conflict of interest with
38 a case for which the office of criminal conflict and civil
39 regional counsel is providing representation. Assistant regional
40 counsel may not accept criminal cases for reimbursement by the



658444

41 state under s. 27.5304. Assistant regional counsel may not
42 engage in civil proceedings for which the state compensates
43 attorneys under s. 27.5304.

44 ~~(b) Notwithstanding paragraph (a), part-time assistant~~
45 ~~regional counsel may practice criminal law for private payment~~
46 ~~so long as the representation does not result in a legal or~~
47 ~~ethical conflict of interest with a case for which the office of~~
48 ~~criminal conflict and civil regional counsel is providing~~
49 ~~representation. Assistant regional counsel may not accept~~
50 ~~criminal cases for reimbursement by the state under s. 27.5304.~~
51 ~~This paragraph expires June 30, 2010.~~

52 Section 3. Section 27.562, Florida Statutes, is amended to
53 read:

54 27.562 Disposition of funds. ~~The first \$50 of~~ All funds
55 collected pursuant to s. 938.29 shall be remitted to the
56 Department of Revenue for deposit ~~deposited~~ into the Indigent
57 Criminal Defense Trust Fund administered by the Justice
58 Administrative Commission pursuant to s. 27.525 ~~in satisfaction~~
59 ~~of the application fee for a determination of indigent status~~
60 ~~under s. 27.52 if the fee was not paid. The remaining funds~~
61 ~~collected pursuant to s. 938.29 shall be distributed as follows:~~

62 ~~(1) Twenty five percent shall be remitted to the Department~~
63 ~~of Revenue for deposit into the Justice Administrative~~
64 ~~Commission's Indigent Criminal Defense Trust Fund.~~

65 ~~(2) Seventy five percent shall be remitted to the~~
66 ~~Department of Revenue for deposit into the General Revenue Fund.~~

67
68 The Justice Administrative Commission shall account for funds
69 deposited into the Indigent Criminal Defense Trust Fund by



658444

70 circuit. Appropriations from the fund shall be proportional to
71 each circuit's collections. All judgments entered pursuant to
72 this part shall be in the name of the state.

73 Section 4. Effective June 1, 2009, section 28.2401, Florida
74 Statutes, is amended to read:

75 28.2401 Service charges and filing fees in probate
76 matters.-

77 (1) Except when otherwise provided, the clerk may impose
78 service charges or filing fees for the following services or
79 filings, not to exceed the following amounts:

80 (a) Fee for the opening of any estate of one document or
81 more, including, but not limited to, petitions and orders to
82 approve settlement of minor's claims; to open a safe-deposit
83 box; to enter rooms and places; for the determination of heirs,
84 if not formal administration; and for a foreign guardian to
85 manage property of a nonresident; but not to include issuance of
86 letters or order of summary administration.....\$230 ~~\$115~~

87 (b) Charge for caveat.....\$40

88 (c) Fee for petition and order to admit foreign wills,
89 authenticated copies, exemplified copies, or transcript to
90 record.....\$230 ~~\$115~~

91 (d) Fee for disposition of personal property without
92 administration.....\$230 ~~\$115~~

93 (e) Fee for summary administration—estates valued at \$1,000
94 or more.....\$340 ~~\$225~~

95 (f) Fee for summary administration—estates valued at less
96 than \$1,000.....\$230 ~~\$115~~

97 (g) Fee for formal administration, guardianship, ancillary,
98 curatorship, or conservatorship proceedings \$395 ~~\$280~~



658444

- 99 (h) Fee for guardianship proceedings of person
100 only.....\$230 ~~\$115~~
101 (i) Fee for veterans' guardianship pursuant to
102 chapter 744\$230 ~~\$115~~
103 (j) Charge for exemplified certificates.....\$7
104 (k) Fee for petition for determination of
105 incompetency.....\$230 ~~\$115~~
106

107 The clerk shall remit \$115 of each filing fee collected under
108 paragraphs (a), (c)-(i), and (k) to the Department of Revenue
109 for deposit into the State Courts Revenue Trust Fund.

110 (2) Upon application by the clerk and a showing of
111 extraordinary circumstances, the service charges or filing fees
112 set forth in this section may be increased in an individual
113 matter by order of the circuit court before which the matter is
114 pending, to more adequately compensate for the services
115 performed or filings made.

116 (3) An additional service charge of \$4 on petitions seeking
117 summary administration, formal administration, ancillary
118 administration, guardianship, curatorship, and conservatorship
119 shall be paid to the clerk. The clerk shall transfer \$3.50 to
120 the Department of Revenue for deposit into the Court Education
121 Trust Fund and shall transfer 50 cents to the Department of
122 Revenue for deposit into the Department of Financial Services'
123 Administrative Trust Fund to fund clerk education. No additional
124 fees, charges, or costs shall be added to the service charges or
125 filing fees imposed under this section, except as authorized by
126 general law.

127 (4) Recording shall be required for all petitions opening



658444

128 and closing an estate; petitions regarding real estate; and
129 orders, letters, bonds, oaths, wills, proofs of wills, returns,
130 and such other papers as the judge shall deem advisable to
131 record or that shall be required to be recorded under the
132 Florida Probate Code.

133 Section 5. Effective June 1, 2009, subsections (1) and (2)
134 of section 28.241, Florida Statutes, are amended to read:

135 28.241 Filing fees for trial and appellate proceedings.—

136 (1) (a) 1.a. Except as provided in sub-subparagraph b. and
137 subparagraph 2., the party instituting any civil action, suit,
138 or proceeding in the circuit court shall pay to the clerk of
139 that court a filing fee of up to \$395 ~~\$295~~ in all cases in which
140 there are not more than five defendants and an additional filing
141 fee of up to \$2.50 for each defendant in excess of five. Of the
142 first \$265 ~~\$85~~ in filing fees, \$80 must be remitted by the clerk
143 to the Department of Revenue for deposit into the General
144 Revenue Fund, \$180 must be remitted to the Department of Revenue
145 for deposit into the State Courts Revenue Trust Fund, and \$5
146 must be remitted to the Department of Revenue for deposit into
147 the Department of Financial Services' Administrative Trust Fund
148 to fund the contract with the Florida Clerks of Court Operations
149 Corporation created in s. 28.35. The next \$15 of the filing fee
150 collected shall be deposited in the state courts' Mediation and
151 Arbitration Trust Fund. ~~One-third of any filing fees collected~~
152 ~~by the clerk of the circuit court in excess of \$100 shall be~~
153 ~~remitted to the Department of Revenue for deposit into the~~
154 ~~Department of Revenue Clerks of the Court Trust Fund.~~

155 b. The party instituting any civil action, suit, or
156 proceeding in the circuit court under chapter 39, chapter 61,



658444

157 chapter 741, chapter 742, chapter 747, chapter 752, or chapter
158 753 shall pay to the clerk of that court a filing fee of up to
159 \$295 in all cases in which there are not more than five
160 defendants and an additional filing fee of up to \$2.50 for each
161 defendant in excess of five. Of the first \$165 in filing fees,
162 \$80 must be remitted by the clerk to the Department of Revenue
163 for deposit into the General Revenue Fund, \$80 must be remitted
164 to the Department of Revenue for deposit into the State Courts
165 Revenue Trust Fund, and \$5 must be remitted to the Department of
166 Revenue for deposit into the Department of Financial Services'
167 Administrative Trust Fund to fund the contract with the Florida
168 Clerks of Court Operations Corporation created in s. 28.35. The
169 next \$15 of the filing fee collected shall be deposited in the
170 state courts' Mediation and Arbitration Trust Fund.

171 c. An additional filing fee of \$4 shall be paid to the
172 clerk. The clerk shall remit \$3.50 to the Department of Revenue
173 for deposit into the Court Education Trust Fund and shall remit
174 50 cents to the Department of Revenue for deposit into the
175 Department of Financial Services Administrative Trust Fund to
176 fund clerk education. An additional filing fee of up to \$18
177 shall be paid by the party seeking each severance that is
178 granted. The clerk may impose an additional filing fee of up to
179 \$85 for all proceedings of garnishment, attachment, replevin,
180 and distress. Postal charges incurred by the clerk of the
181 circuit court in making service by certified or registered mail
182 on defendants or other parties shall be paid by the party at
183 whose instance service is made. No additional fees, charges, or
184 costs shall be added to the filing fees imposed under this
185 section, except as authorized in this section ~~herein~~ or by



658444

186 general law.

187 2.a. Notwithstanding the fees prescribed in subparagraph
188 1., a party instituting a civil action in circuit court relating
189 to real property or mortgage foreclosure shall pay a graduated
190 filing fee based on the value of the claim.

191 b. A party shall estimate in writing the amount in
192 controversy of the claim upon filing the action. For purposes of
193 this subparagraph, the value of a mortgage foreclosure action is
194 based upon the principal due on the note secured by the
195 mortgage, plus interest owed on the note and any moneys advanced
196 by the lender for property taxes, insurance, and other advances
197 secured by the mortgage, at the time of filing the foreclosure.
198 The value shall also include the value of any tax certificates
199 related to the property. In stating the value of a mortgage
200 foreclosure claim, a party shall declare in writing the total
201 value of the claim, as well as the individual elements of the
202 value as prescribed in this sub-subparagraph.

203 c. In its order providing for the final disposition of the
204 matter, the court shall identify the actual value of the claim.
205 The clerk shall adjust the filing fee if there is a difference
206 between the estimated amount in controversy and the actual value
207 of the claim and collect any additional filing fee owed or
208 provide a refund of excess filing fee paid.

209 d. The party shall pay a filing fee of:

210 (I) Three hundred and ninety-five dollars in all cases in
211 which the value of the claim is \$50,000 or less and in which
212 there are not more than five defendants. The party shall pay an
213 additional filing fee of up to \$2.50 for each defendant in
214 excess of five. Of the first \$265 in filing fees, \$80 must be



658444

215 remitted by the clerk to the Department of Revenue for deposit
216 into the General Revenue Fund, \$180 must be remitted to the
217 Department of Revenue for deposit into the State Courts Revenue
218 Trust Fund, and \$5 must be remitted to the Department of Revenue
219 for deposit into the Department of Financial Services'
220 Administrative Trust Fund to fund the contract with the Florida
221 Clerks of Court Operations Corporation created in s. 28.35. The
222 next \$15 of the filing fee collected shall be deposited in the
223 state courts' Mediation and Arbitration Trust Fund;

224 (II) Nine hundred dollars in all cases in which the value
225 of the claim is more than \$50,000 but less than \$250,000 and in
226 which there are not more than five defendants. The party shall
227 pay an additional filing fee of up to \$2.50 for each defendant
228 in excess of five. Of the first \$770 in filing fees, \$80 must be
229 remitted by the clerk to the Department of Revenue for deposit
230 into the General Revenue Fund, \$685 must be remitted to the
231 Department of Revenue for deposit into the State Courts Revenue
232 Trust Fund, and \$5 must be remitted to the Department of Revenue
233 for deposit into the Department of Financial Services'
234 Administrative Trust Fund to fund the contract with the Florida
235 Clerks of Court Operations Corporation described in s. 28.35.
236 The next \$15 of the filing fee collected shall be deposited in
237 the state courts' Mediation and Arbitration Trust Fund; or

238 (III) One thousand nine hundred dollars in all cases in
239 which the value of the claim is \$250,000 or more and in which
240 there are not more than five defendants. The party shall pay an
241 additional filing fee of up to \$2.50 for each defendant in
242 excess of five. Of the first \$1,770 in filing fees, \$80 must be
243 remitted by the clerk to the Department of Revenue for deposit



658444

244 into the General Revenue Fund, \$1,685 must be remitted to the
245 Department of Revenue for deposit into the State Courts Revenue
246 Trust Fund, and \$5 must be remitted to the Department of Revenue
247 for deposit into the Department of Financial Services'
248 Administrative Trust Fund to fund the contract with the Florida
249 Clerks of Court Operations Corporation created in s. 28.35. The
250 next \$15 of the filing fee collected shall be deposited in the
251 state courts' Mediation and Arbitration Trust Fund.

252 e. An additional filing fee of \$4 shall be paid to the
253 clerk. The clerk shall remit \$3.50 to the Department of Revenue
254 for deposit into the Court Education Trust Fund and shall remit
255 50 cents to the Department of Revenue for deposit into the
256 Department of Financial Services' Administrative Trust Fund to
257 fund clerk education. An additional filing fee of up to \$18
258 shall be paid by the party seeking each severance that is
259 granted. The clerk may impose an additional filing fee of up to
260 \$85 for all proceedings of garnishment, attachment, replevin,
261 and distress. Postal charges incurred by the clerk of the
262 circuit court in making service by certified or registered mail
263 on defendants or other parties shall be paid by the party at
264 whose instance service is made. No additional fees, charges, or
265 costs shall be added to the filing fees imposed under this
266 section, except as authorized in this section or by general law.

267 (b) A party reopening any civil action, suit, or proceeding
268 in the circuit court shall pay to the clerk of court a filing
269 fee set by the clerk in an amount not to exceed \$50. For
270 purposes of this section, a case is reopened when a case
271 previously reported as disposed of is resubmitted to a court and
272 includes petitions for modification of a final judgment of



658444

273 dissolution. A party is exempt from paying the fee for any of
274 the following:

- 275 1. A writ of garnishment;
- 276 2. A writ of replevin;
- 277 3. A distress writ;
- 278 4. A writ of attachment;
- 279 5. A motion for rehearing filed within 10 days;
- 280 6. A motion for attorney's fees filed within 30 days after
281 entry of a judgment or final order;
- 282 7. A motion for dismissal filed after a mediation agreement
283 has been filed;
- 284 8. A disposition of personal property without
285 administration;
- 286 9. Any probate case prior to the discharge of a personal
287 representative;
- 288 10. Any guardianship pleading prior to discharge;
- 289 11. Any mental health pleading;
- 290 12. Motions to withdraw by attorneys;
- 291 13. Motions exclusively for the enforcement of child
292 support orders;
- 293 14. A petition for credit of child support;
- 294 15. A Notice of Intent to Relocate and any order issuing as
295 a result of an uncontested relocation;
- 296 16. Stipulations;
- 297 17. Responsive pleadings; or
- 298 18. Cases in which there is no initial filing fee.

299 (c) 1. A Any party in addition to ~~other than~~ a party
300 described in sub-subparagraph (a)1.a. ~~paragraph (a)~~ who files a
301 pleading in an original civil action in circuit court for



658444

302 affirmative relief by cross-claim, counterclaim,
303 counterpetition, or third-party complaint shall pay the clerk of
304 court a fee of \$395 ~~\$295~~. A party in addition to a party
305 described in sub-subparagraph (a)1.b. who files a pleading in an
306 original civil action in circuit court for affirmative relief by
307 cross-claim, counterclaim, counterpetition, or third-party
308 complaint shall pay the clerk of court a fee of \$295. The clerk
309 shall remit the fee to the Department of Revenue for deposit
310 into the General Revenue Fund.

311 2. A party in addition to a party described in subparagraph
312 (a)2. who files a pleading in an original civil action in
313 circuit court for affirmative relief by cross-claim,
314 counterclaim, counterpetition, or third-party complaint shall
315 pay the clerk of court a graduated fee of:

316 a. Three hundred and ninety-five dollars in all cases in
317 which the value of the pleading is \$50,000 or less;

318 b. Nine hundred dollars in all cases in which the value of
319 the pleading is more than \$50,000 but less than \$250,000; or

320 c. One thousand nine hundred dollars in all cases in which
321 the value of the pleading is \$250,000 or more.

322
323 The clerk shall remit the fees collected under this subparagraph
324 to the Department of Revenue for deposit into the General
325 Revenue Fund, except that the clerk shall remit \$100 of the fee
326 collected under sub-subparagraph a., \$605 of the fee collected
327 under sub-subparagraph b., and \$1,605 of the fee collected under
328 sub-subparagraph c. to the Department of Revenue for deposit
329 into the State Courts Revenue Trust Fund.

330 (d) The clerk of court shall collect a service charge of



658444

331 \$10 for issuing a summons. The clerk shall assess the fee
332 against the party seeking to have the summons issued.

333 (2) Upon the institution of any appellate proceeding from
334 any lower court to the circuit court of any such county,
335 including appeals filed by a county or municipality as provided
336 in s. 34.041(5), or from the circuit court to an appellate court
337 of the state, the clerk shall charge and collect from the party
338 or parties instituting such appellate proceedings a filing fee
339 not to exceed \$280 for filing a notice of appeal from the county
340 court to the circuit court and, in addition to the filing fee
341 required under s. 25.241 or s. 35.22, \$100 for filing a notice
342 of appeal from the circuit court to the district court of appeal
343 or to the Supreme Court. If the party is determined to be
344 indigent, the clerk shall defer payment of the fee. The clerk
345 shall remit the first \$80 to the Department of Revenue for
346 deposit into the General Revenue Fund. ~~One-third of the fee~~
347 ~~collected by the clerk in excess of \$80 also shall be remitted~~
348 ~~to the Department of Revenue for deposit into the Clerks of the~~
349 ~~Court Trust Fund.~~

350 Section 6. Section 28.33, Florida Statutes, is amended to
351 read:

352 28.33 Investment of county funds by the clerk of the
353 circuit court.—The clerk of the circuit court in each county
354 shall invest county funds in excess of those required to meet
355 expenses as provided in s. 218.415. No clerk investing such
356 funds shall be liable for the loss of any interest when
357 circumstances require the withdrawal of funds placed in a time
358 deposit and needed for immediate payment of county obligations.
359 Except for interest earned on moneys deposited in the registry



658444

360 of the court, all interest accruing from moneys deposited shall
361 be deemed income of the county and may be expended as receipts
362 of the county as approved by the board of county commissioners
363 pursuant to chapter 129 ~~office of the clerk of the circuit court~~
364 ~~investing such moneys and shall be deposited in the same account~~
365 ~~as are other fees and commissions of the clerk's office.~~ The
366 clerk may invest moneys deposited in the registry of the court
367 and shall retain as income of the office of the clerk and as a
368 reasonable investment management fee 10 percent of the interest
369 accruing on those funds with the balance of such interest being
370 allocated in accordance with the interest of the depositors.

371 Section 7. Subsection (1) of section 34.041, Florida
372 Statutes, is amended to read:

373 34.041 Filing fees.—

374 (1) (a) Upon the institution of any civil action, suit, or
375 proceeding in county court, the party shall pay the following
376 filing fee, not to exceed:

- 377 1. For all claims less than \$100.....\$50.
378 2. For all claims of \$100 or more but not more
379 than \$500.....\$75.
380 3. For all claims of more than \$500 but not more than
381 \$2,500.....\$170.
382 4. For all claims of more than \$2,500.....\$295.
383 5. In addition, for all proceedings of garnishment,
384 attachment, replevin, and distress.....\$85.
385 6. Notwithstanding subparagraphs 3. and 5., for all claims
386 of not more than \$1,000 filed simultaneously with an action for
387 replevin of property that is the subject of the claim.....\$125.
388 7.6- For removal of tenant action.....\$180 ~~\$265.~~



658444

389 (b) The first \$80 of the filing fee collected under
390 subparagraph (a)4. shall be remitted to the Department of
391 Revenue for deposit into the General Revenue Fund. The next \$15
392 of the filing fee collected under subparagraph (a)4., and the
393 first \$10 ~~\$15~~ of the each filing fee collected under
394 subparagraph (a)7. ~~subparagraph (a)6.~~, shall be deposited in the
395 state courts' Mediation and Arbitration Trust Fund. ~~One-third of~~
396 ~~any filing fees collected by the clerk under this section in~~
397 ~~excess of the first \$95 collected under subparagraph (a)4. shall~~
398 ~~be remitted to the Department of Revenue for deposit into the~~
399 ~~Department of Revenue Clerks of the Court Trust Fund.~~ An
400 additional filing fee of \$4 shall be paid to the clerk. The
401 clerk shall transfer \$3.50 to the Department of Revenue for
402 deposit into the Court Education Trust Fund and shall transfer
403 50 cents to the Department of Revenue for deposit into the
404 Department of Financial Services' Administrative Trust Fund to
405 fund clerk education. Postal charges incurred by the clerk of
406 the county court in making service by mail on defendants or
407 other parties shall be paid by the party at whose instance
408 service is made. Except as provided herein, filing fees and
409 service charges for performing duties of the clerk relating to
410 the county court shall be as provided in ss. 28.24 and 28.241.
411 Except as otherwise provided herein, all filing fees shall be
412 retained as fee income of the office of the clerk of circuit
413 court. Filing fees imposed by this section may not be added to
414 any penalty imposed by chapter 316 or chapter 318.

415 (c) A Any party in addition to ~~other than~~ a party described
416 in paragraph (a) who files a pleading in an original civil
417 action in the county court for affirmative relief by cross-



658444

418 claim, counterclaim, counterpetition, or third-party complaint,
419 or who files a notice of cross-appeal or notice of joinder or
420 motion to intervene as an appellant, cross-appellant, or
421 petitioner, shall pay the clerk of court a fee of \$295 if the
422 relief sought by the party under this paragraph exceeds \$2,500.
423 The clerk shall remit the fee to the Department of Revenue for
424 deposit into the General Revenue Fund. This fee does ~~shall~~ not
425 apply if ~~where~~ the cross-claim, counterclaim, counterpetition,
426 or third-party complaint requires transfer of the case from
427 county to circuit court. However, the party shall pay to the
428 clerk the standard filing fee for the court to which the case is
429 to be transferred. ~~The clerk shall remit the fee to the~~
430 Department of Revenue for deposit into the General Revenue Fund.

431 (d) The clerk of court shall collect a service charge of
432 \$10 for issuing a summons. The clerk shall assess the fee
433 against the party seeking to have the summons issued.

434 Section 8. Section 57.081, Florida Statutes, is amended to
435 read:

436 57.081 Costs; right to proceed where prepayment of costs
437 and payment of filing fees waived.—

438 (1) Any indigent person, except a prisoner as defined in s.
439 57.085, who is a party or intervenor in any judicial or
440 administrative agency proceeding or who initiates such
441 proceeding shall receive the services of the courts, sheriffs,
442 and clerks, with respect to such proceedings, despite his or her
443 present inability to pay for these services. Such services are
444 limited to filing fees; service of process; certified copies of
445 orders or final judgments; a single photocopy of any court
446 pleading, record, or instrument filed with the clerk; examining



658444

447 fees; mediation services and fees; private court-appointed
448 counsel fees; subpoena fees and services; service charges for
449 collecting and disbursing funds; and any other cost or service
450 arising out of pending litigation. In any appeal from an
451 administrative agency decision, for which the clerk is
452 responsible for preparing the transcript, the clerk shall record
453 the cost of preparing the transcripts and the cost for copies of
454 any exhibits in the record. Prepayment of costs to any court,
455 clerk, or sheriff is not required and payment of filing fees is
456 not required in any action if the party has obtained in each
457 proceeding a certification of indigence in accordance with s.
458 27.52 or s. 57.082.

459 (2) Any sheriff who, in complying with the terms of this
460 section, expends personal funds for automotive fuel or ordinary
461 carfare in serving the process of those qualifying under this
462 section may requisition the board of county commissioners of the
463 county for the actual expense, and on the submission to the
464 board of county commissioners of appropriate proof of any such
465 expenditure, the board of county commissioners shall pay the
466 amount of the actual expense from the general fund of the county
467 to the requisitioning officer.

468 (3) If an applicant prevails in an action, costs shall be
469 taxed in his or her favor as provided by law and, when
470 collected, shall be applied to pay filing fees or costs that
471 ~~which otherwise would have been required and which~~ have not been
472 paid.

473 Section 9. Subsections (1) and (6) of section 57.082,
474 Florida Statutes, are amended to read:

475 57.082 Determination of civil indigent status.—



658444

476 (1) APPLICATION TO THE CLERK.—A person seeking appointment
477 of an attorney in a civil case eligible for court-appointed
478 counsel, or seeking relief from payment ~~prepayment~~ of filing
479 fees and prepayment of costs under s. 57.081, based upon an
480 inability to pay must apply to the clerk of the court for a
481 determination of civil indigent status using an application form
482 developed by the Florida Clerks of Court Operations Corporation
483 with final approval by the Supreme Court.

484 (a) The application must include, at a minimum, the
485 following financial information:

486 1. Net income, consisting of total salary and wages, minus
487 deductions required by law, including court-ordered support
488 payments.

489 2. Other income, including, but not limited to, social
490 security benefits, union funds, veterans' benefits, workers'
491 compensation, other regular support from absent family members,
492 public or private employee pensions, unemployment compensation,
493 dividends, interest, rent, trusts, and gifts.

494 3. Assets, including, but not limited to, cash, savings
495 accounts, bank accounts, stocks, bonds, certificates of deposit,
496 equity in real estate, and equity in a boat or a motor vehicle
497 or in other tangible property.

498 4. All liabilities and debts.

499
500 The application must include a signature by the applicant which
501 attests to the truthfulness of the information provided. The
502 application form developed by the corporation must include
503 notice that the applicant may seek court review of a clerk's
504 determination that the applicant is not indigent, as provided in



658444

505 this section.

506 (b) The clerk shall assist a person who appears before the
507 clerk and requests assistance in completing the application, and
508 the clerk shall notify the court if a person is unable to
509 complete the application after the clerk has provided
510 assistance.

511 (c) The clerk shall accept an application that is signed by
512 the applicant and submitted on his or her behalf by a private
513 attorney who is representing the applicant in the applicable
514 matter.

515 (d) A person who seeks appointment of an attorney in a case
516 under chapter 39, at the trial or appellate level, for which an
517 indigent person is eligible for court-appointed representation,
518 shall pay a \$50 application fee to the clerk for each
519 application filed. The applicant shall pay the fee within 7 days
520 after submitting the application. The clerk shall transfer
521 monthly all application fees collected under this paragraph to
522 the Department of Revenue for deposit into the Indigent Civil
523 Defense Trust Fund, to be used as appropriated by the
524 Legislature. The clerk may retain 10 percent of application fees
525 collected monthly for administrative costs prior to remitting
526 the remainder to the Department of Revenue. A person found to be
527 indigent may not be refused counsel. If the person cannot pay
528 the application fee, the clerk shall enroll the person in a
529 payment plan pursuant to s. 28.246.

530 (6) PROCESSING CHARGE; PAYMENT PLANS.—A person who the
531 clerk or the court determines is indigent for civil proceedings
532 under this section shall be enrolled in a payment plan under s.
533 28.246 and shall be charged a one-time administrative processing



658444

534 charge under s. 28.24(26)(c). A monthly payment amount,
535 calculated based upon all fees and all anticipated costs, is
536 presumed to correspond to the person's ability to pay if it does
537 not exceed 2 percent of the person's annual net income, as
538 defined in subsection (1), divided by 12. The person may seek
539 review of the clerk's decisions regarding a payment plan
540 established under s. 28.246 in the court having jurisdiction
541 over the matter. A case may not be impeded in any way, delayed
542 in filing, or delayed in its progress, including the final
543 hearing and order, due to nonpayment of any fees or costs by an
544 indigent person. Filing fees waived from payment under s. 57.081
545 may not be included in the calculation related to a payment plan
546 established under this section.

547 Section 10. Section 318.121, Florida Statutes, is amended
548 to read:

549 318.121 Preemption of additional fees, fines, surcharges,
550 and costs.—Notwithstanding any general or special law, or
551 municipal or county ordinance, additional fees, fines,
552 surcharges, or costs other than the court costs and surcharges
553 assessed under s. 318.18(11), (13), ~~and~~ (18), and (19) may not
554 be added to the civil traffic penalties assessed in this
555 chapter.

556 Section 11. Subsection (1) of section 318.15, Florida
557 Statutes, as amended by section 2 of chapter 2009-6, Laws of
558 Florida, is amended to read:

559 318.15 Failure to comply with civil penalty or to appear;
560 penalty.—

561 (1)(a) If a person fails to comply with the civil penalties
562 provided in s. 318.18 within the time period specified in s.



658444

563 318.14(4), fails to attend driver improvement school, or fails
564 to appear at a scheduled hearing, the clerk of the court shall
565 notify the Division of Driver Licenses of the Department of
566 Highway Safety and Motor Vehicles of such failure within 10 days
567 after such failure. Upon receipt of such notice, the department
568 shall immediately issue an order suspending the driver's license
569 and privilege to drive of such person effective 20 days after
570 the date the order of suspension is mailed in accordance with s.
571 322.251(1), (2), and (6). Any such suspension of the driving
572 privilege which has not been reinstated, including a similar
573 suspension imposed outside Florida, shall remain on the records
574 of the department for a period of 7 years from the date imposed
575 and shall be removed from the records after the expiration of 7
576 years from the date it is imposed.

577 (b) However, a person who elects to attend driver
578 improvement school and has paid the civil penalty as provided in
579 s. 318.14(9), but who subsequently fails to attend the driver
580 improvement school within the time specified by the court shall
581 be deemed to have admitted the infraction and shall be
582 adjudicated guilty. In such a case in which there was an 18
583 percent reduction pursuant to s. 318.14(9) as it existed before
584 February 1, 2009 ~~prior to the effective date of this act~~, the
585 person must pay the clerk of the court that amount and a
586 processing fee of up to \$18, after which no additional
587 penalties, court costs, or surcharges shall be imposed for the
588 violation. In all other such cases, the person must pay the
589 clerk a processing fee of up to \$18, after which no additional
590 penalties, court costs, or surcharges shall be imposed for the
591 violation. The clerk of the court shall notify the department of



658444

592 the person's failure to attend driver improvement school and
593 points shall be assessed pursuant to s. 322.27.

594 Section 12. Subsections (18) and (19) of section 318.18,
595 Florida Statutes, as amended by section 3 of chapter 2009-6,
596 Laws of Florida, are amended to read:

597 318.18 Amount of penalties.—The penalties required for a
598 noncriminal disposition pursuant to s. 318.14 or a criminal
599 offense listed in s. 318.17 are as follows:

600 (18) In addition to any penalties imposed, an
601 administrative fee of \$12.50 must be paid for all noncriminal
602 moving and nonmoving ~~traffic~~ violations under chapters ~~chapter~~
603 316, 320, and 322. Revenue from the administrative fee shall be
604 deposited by the clerk of court into the fine and forfeiture
605 fund established pursuant to s. 142.01.

606 (19) In addition to any penalties imposed, an Article V
607 assessment of \$10 must be paid for all noncriminal moving and
608 nonmoving ~~traffic~~ violations under chapters ~~chapter~~ 316, 320,
609 and 322. The assessment is not revenue for purposes of s. 28.36
610 and may not be used in establishing the budget of the clerk of
611 the court under that section or s. 28.35. Of the funds collected
612 under this subsection:

613 (a) The sum of \$5 shall be deposited in the State Courts
614 Revenue Trust Fund for use by the state courts system;

615 (b) The sum of \$3.33 shall be deposited in the State
616 Attorneys Revenue Trust Fund for use by the state attorneys; and

617 (c) The sum of \$1.67 shall be deposited in the Public
618 Defenders Revenue Trust Fund for use by the public defenders.

619 Section 13. For the purpose of incorporating the amendments
620 made by this act to section 318.18, Florida Statutes, in



658444

621 references thereto, subsections (18) and (19) of section 318.21,
622 Florida Statutes, as amended by section 4 of chapter 2009-6,
623 Laws of Florida, are reenacted to read:

624 318.21 Disposition of civil penalties by county courts.—All
625 civil penalties received by a county court pursuant to the
626 provisions of this chapter shall be distributed and paid monthly
627 as follows:

628 (18) Notwithstanding subsections (1) and (2), the proceeds
629 from the administrative fee imposed under s. 318.18(18) shall be
630 distributed as provided in that subsection.

631 (19) Notwithstanding subsections (1) and (2), the proceeds
632 from the Article V assessment imposed under s. 318.18(19) shall
633 be distributed as provided in that subsection.

634 Section 14. If CS for SB 412, as enacted during the 2009
635 Regular Session, becomes law, paragraph (d) is added to
636 subsection (1) of section 939.185, Florida Statutes, to read,
637 and shall supersede and prevail over amendments made to that
638 subsection by CS for SB 412:

639 939.185 Assessment of additional court costs and
640 surcharges.—

641 (1)

642 (d) The clerk of court shall cause a certified copy of the
643 court order imposing such costs to be recorded in the public
644 records. Such record constitutes a lien against the person upon
645 whom the costs are imposed and shall attach as a lien on any
646 real property owned by such person located in the county in
647 which such order is recorded in the same manner and to the same
648 extent as a judgment recorded as provided in s. 55.10. Such
649 order shall attach as a lien on any personal property owned by



658444

650 such person located in the state upon the filing with the
651 Department of State of a judgment lien certificate regarding
652 such order as provided in ss. 55.202-55.209. A lien created
653 under this paragraph does not attach to, or make subject to
654 execution of levy or foreclosure, any real or personal property
655 otherwise exempt under s. 4, Art. X of the State Constitution. A
656 lien created under this paragraph is enforceable in the same
657 manner as provided by law.

658 Section 15. Transfer of trust funds in excess of amount
659 needed for clerk budgets.—By June 20th of each year, the Florida
660 Clerks of Court Operations Corporation shall identify the amount
661 of funds in the Clerks of Court Trust Fund in excess of the
662 amount needed to fund the approved clerk of court budgets for
663 the current state fiscal year. The Justice Administrative
664 Commission shall transfer the amount identified by the
665 corporation from the Clerks of Court Trust Fund to the General
666 Revenue Fund by June 25th of each year.

667 Section 16. Each clerk of court shall implement an
668 electronic filing process. The purpose of the electronic filing
669 process is to reduce judicial costs in the office of the clerk
670 and the judiciary, increase timeliness in the processing of
671 cases, and provide the judiciary with case-related information
672 to allow for improved judicial case management. The Legislature
673 requests that, no later than July 1, 2009, the Supreme Court set
674 statewide standards for electronic filing to be used by the
675 clerks of court to implement electronic filing. The standards
676 should specify the required information for the duties of the
677 clerks of court and the judiciary for case management. The
678 clerks of court shall begin implementation no later than October



658444

679 1, 2009. The Florida Clerks of Court Operations Corporation
680 shall report to the President of the Senate and the Speaker of
681 the House of Representatives by March 1, 2010, on the status of
682 implementing electronic filing. The report shall include the
683 detailed status of each clerk office's implementation of an
684 electronic filing process, and for those clerks who have not
685 fully implemented electronic filing by March 1, 2010, a
686 description of the additional steps needed and a projected
687 timeline for full implementation. Revenues provided to counties
688 and the clerk of court under s. 28.24(12)(e), Florida Statutes,
689 for information technology may also be used to implement
690 electronic filing processes.

691 Section 17. It is the intent of the Legislature that the
692 First District Court of Appeal, through a pilot project
693 conducted in cooperation with the Office of Judges of
694 Compensation Claims, implement an electronic filing system for
695 appeals of workers' compensation cases, in part to reduce costs
696 to the Workers' Compensation Administrative Trust Fund. To the
697 extent feasible, the system the First District Court of Appeal
698 adopts shall use, or be compatible with, the current electronic
699 filing system used by the Office of Judges of Compensation
700 Claims and shall be capable of being used to receive and
701 maintain electronic filings in other cases as may be authorized
702 in the future. The chief judge of the First District Court of
703 Appeal and the deputy chief judge of compensation claims are
704 responsible for determining when the system is capable of
705 reliably receiving electronic filings. It is further the intent
706 of the Legislature that, in cases in which a judge of
707 compensation claims enters an order finding a claimant indigent,



658444

708 all further processing shall use the electronic system to the
709 fullest extent possible. In nonindigent cases in which an
710 electronic filer uses a credit card to pay the court's filing
711 fee, the First District Court of Appeal may impose a reasonable
712 surcharge to recover any costs that financial institutions
713 impose for the filer's use of the credit card, if necessary to
714 ensure that the required filing fee to the state is satisfied
715 fully. The chief judge of the First District Court of Appeal
716 shall submit a report to the President of the Senate and the
717 Speaker of the House of Representatives 9 months after the
718 system is operational, addressing use of the system and
719 identifying any statutory or fiscal factors affecting
720 implementation of the system.

721 Section 18. Notwithstanding s. 28.36, Florida Statutes, the
722 statewide budget cap for the clerks of court is \$451,380,312 for
723 the 2009-2010 state fiscal year. The Florida Clerks of Court
724 Operations Corporation shall reduce the individual approved
725 budgets of the clerks of court to ensure that the sum of the
726 approved budgets does not exceed this statewide budget cap. This
727 section shall take effect only if CS for CS for Senate Bill
728 2108, as enacted during the 2009 Regular Session, does not
729 become a law.

730 Section 19. Effective on the same date as CS for CS for SB
731 2108, as enacted during the 2009 Regular Session, if that act
732 becomes law:

733 (1) By January 15, 2010, the Office of Program Policy
734 Analysis and Government Accountability, in consultation with the
735 Chief Financial Officer and the Auditor General, shall provide a
736 report to the President of the Senate and the Speaker of the



658444

737 House of Representatives regarding the operation and functions
738 of the clerks of court and the courts. The Office of Program
739 Policy Analysis and Government Accountability shall examine who
740 is performing each court-related function, how each function is
741 funded, and how efficiently these functions are performed. The
742 clerks of court, the Florida Clerks of Court Operations
743 Corporation, and the state courts system shall cooperate fully
744 with the office and, upon request, provide any and all
745 information necessary to the review without cost or delay. The
746 report shall describe in detail the base budget for each of the
747 clerks and for the state courts system and report on the overall
748 efficiency of the current process. Administrative overhead shall
749 be calculated separately, and any apparent means to reduce such
750 overhead shall be explored and included in the report. The study
751 shall list each court-related function, a recommendation on who
752 should perform the function, and a recommendation for how to pay
753 for such function.

754 (2) The Technology Review Workgroup shall develop a
755 proposed plan for identifying and recommending options for
756 implementing the integrated computer system established in s.
757 29.008(1)(f)2., Florida Statutes. The plan shall describe the
758 approaches and processes for evaluating the existing computer
759 systems and data-sharing networks of the state courts system and
760 the clerks of the court; identifying the required business and
761 technical requirements; reliably estimating the cost, work, and
762 change requirements; and examining the use of the funds
763 collected under s. 28.24(12)(e), Florida Statutes. The plan may
764 also address any necessary policy, operational, fiscal, or
765 technical changes, including, but not limited to, potential



658444

766 changes to the distribution and use of funds collected under s.
767 28.24(12)(e), Florida Statutes, which may be needed in order to
768 manage, implement, and operate an integrated computer system.
769 The plan shall be submitted to the President of the Senate and
770 the Speaker of the House of Representatives no later than
771 February 1, 2010. The clerks of court, the Florida Clerks of
772 Court Operations Corporation, and the state courts system shall
773 cooperate fully with the workgroup and provide any and all
774 information necessary for the completion of the project without
775 cost or delay upon request. The workgroup shall work in
776 conjunction with the Auditor General and consider the results of
777 the plans, studies, and reports of the Office of Program Policy
778 Analysis and Government Accountability under subsection (1).
779 Until July 1, 2011, each clerk shall submit a summary of all new
780 hardware and software purchases in excess of \$25,000 to the
781 Florida Clerks of Court Operations Corporation on a monthly
782 basis, and the corporation shall a submit a report of all such
783 purchases to the President of the Senate and the Speaker of the
784 House of Representatives on a quarterly basis. The clerk shall
785 include a statement with the summary that the purchases were
786 made in good faith and were reasonable and necessary for the
787 continuing efficient operations of the clerk's office.

788 (3) This section supersedes and prevails over section 18 of
789 CS for CS for Senate Bill 2108, as enacted during the 2009
790 Regular Session. However, this section shall not take effect if
791 CS for CS for Senate Bill 2108 does not become law.

792 Section 20. (1) It is the intent of the Legislature that,
793 if this act and CS for CS for Senate Bill 2108, as enacted
794 during the 2009 Regular Session or an extension thereof, both



658444

795 become law, the Division of Statutory Revision shall read the
796 acts together and, to the extent feasible, give full effect to
797 the amendments made by this act to ss. 28.241(1)(a) and
798 34.041(1)(b), Florida Statutes, and the amendments made to those
799 paragraphs by CS for CS for Senate Bill 2108. However, it is
800 further the intent of the Legislature that, if both acts become
801 law, the amendments made by CS for CS for Senate Bill 2108 with
802 respect to the distribution of filing fees to the Clerks of the
803 Court Trust Fund, rather than the Department of Financial
804 Services' Administrative Trust Fund, and the use of those funds
805 to fund the Florida Clerks of Court Operations Corporation,
806 shall prevail. To that end, where this act refers in its
807 amendments to ss. 28.241(1)(a) and 34.041(1)(b), Florida
808 Statutes, to the distribution of filing fees to the Department
809 of Financial Services' Administrative Trust Fund, it is the
810 intent of the Legislature that the Division of Statutory
811 Revision change those references to the Clerks of the Court
812 Trust Fund and conform the use of those funds, including within
813 both the existing and new language of those paragraphs contained
814 in this act, consistent with CS for CS for Senate Bill 2108. It
815 is further the intent of the Legislature that, if both acts
816 become law, the division change references to the distribution
817 of \$5 of filing fees under s. 28.241(1)(a), Florida Statutes,
818 including within both the existing and new language of that
819 paragraph contained in this act, to reflect the distribution
820 instead of \$3.50 and \$1.50, respectively, to the Clerks of Court
821 Trust Fund and the Administrative Trust Fund within the
822 Department of Financial Services, consistent with CS for CS for
823 Senate Bill 2108.



658444

824 (2) This section shall take effect June 1, 2009.
825 Section 21. (1) CS for CS for Senate Bill 2108, as enacted
826 during the 2009 Regular Session, shall not take effect upon
827 becoming a law as specified in section 22 of that act, but shall
828 take effect July 1, 2009.

829 (2) This section shall take effect June 1, 2009.
830 Section 22. Except as otherwise expressly provided in this
831 act and except for this section, which shall take effect June 1,
832 2009, this act shall take effect July 1, 2009.

833
834 ===== T I T L E A M E N D M E N T =====

835 And the title is amended as follows:

836 Delete everything before the enacting clause
837 and insert:

838 A bill to be entitled
839 An act relating to the state judicial system; amending
840 s. 26.57, F.S.; authorizing any county court judge to
841 be designated by the Chief Justice of the Supreme
842 Court to preside over circuit court cases; providing
843 that such county court judge will receive the same
844 salary as a circuit court judge, to the extent that
845 funds are specifically appropriated by law for such
846 purposes; amending s. 27.511, F.S.; eliminating future
847 repeal of authority for part-time assistant criminal
848 conflict and civil regional counsel to practice
849 private criminal law under specified conditions;
850 conforming changes; amending s. 27.562, F.S.; revising
851 the distribution of fees and costs collected from
852 persons who receive certain assistance from a public



658444

853 defender's office; amending s. 28.2401, F.S.;

854 increasing the maximum amount the clerk of court may

855 impose for certain actions in probate matters;

856 providing for the deposit of revenues generated from

857 the increased amount into the State Courts Revenue

858 Trust Fund; delineating specified amounts as filing

859 fees or service charges; amending s. 28.241, F.S.;

860 increasing the maximum filing fee for certain civil

861 actions; providing for a portion of circuit court

862 filing fees to be deposited in the State Courts

863 Revenue Trust Fund; eliminating a requirement for the

864 clerk of court to remit a portion of excess filing

865 fees to the Department of Revenue; prescribing a

866 maximum filing fee for certain family law actions;

867 providing for the distribution of such fee; providing

868 for the payment of graduated filing fees in certain

869 real property or mortgage foreclosure actions;

870 providing a manner for valuing mortgage foreclosure

871 claims; prescribing graduated filing fees based on the

872 value of the claim; requiring a fee for filing a

873 pleading for relief by counterpetition; providing for

874 the payment of graduated filing fees for certain real

875 property or mortgage foreclosure pleadings for relief

876 by cross-claim, counterclaim, counterpetition, or

877 third-party complaint; prescribing graduated filing

878 fees based on the value of the pleading; providing for

879 remittance of fees by the clerk of court and for

880 deposit into specified funds; eliminating a

881 requirement for the clerk of court to remit a portion



658444

882 of fees collected to the Department of Revenue for
883 deposit into a specified trust fund; amending s.
884 28.33, F.S.; providing that interest on county funds
885 invested by the clerk of court constitutes county
886 funds; amending s. 34.041, F.S.; prescribing a maximum
887 county court filing fee for claims of a specified
888 value filed with an action for replevin; reducing the
889 county court filing fee for an action to remove a
890 tenant; providing for deposit of a portion of fees
891 collected into the State Courts Revenue Trust Fund;
892 eliminating a requirement for the clerk of court to
893 remit a portion of excess filing fees to the
894 Department of Revenue; requiring a fee for filing a
895 pleading for relief by counterpetition in county
896 court; specifying the applicable filing fee required
897 when a case is transferred from county to circuit
898 court; amending s. 57.081, F.S.; providing for the
899 waiver of payment of civil filing fees by persons
900 deemed indigent; revising a requirement for taxed
901 costs in favor of an indigent person to be applied to
902 unpaid costs, to conform; amending s. 57.082, F.S.;
903 conforming changes to the waiver of payment of filing
904 fees by persons deemed indigent; revising provisions
905 related to payment plans, to conform; excluding waived
906 filing fees from payment plans; amending s. 318.121,
907 F.S.; specifying that an Article V assessment is among
908 the fees, fines, surcharges, and costs that may be
909 added to civil traffic infractions; amending s.
910 318.15, F.S.; imposing a processing fee by the clerk



658444

911 of court on persons who elect to attend a driver
912 improvement school following certain traffic
913 violations but fail to attend; amending s. 318.18,
914 F.S.; imposing an administrative fee and an assessment
915 on motor vehicle license violations and driver's
916 license violations; reenacting s. 318.21(18) and (19),
917 F.S., relating to distribution of traffic-infraction
918 penalties, to incorporate the amendments to s. 318.18,
919 F.S., in references thereto; amending s. 939.185,
920 F.S.; providing for the order assessing additional
921 court costs and surcharges in certain criminal
922 offenses and criminal traffic offenses to be recorded
923 with the clerk of court; providing that such record
924 constitutes a lien on certain real and personal
925 property under specified conditions; providing for an
926 exception and enforcement; providing that such
927 amendments to s. 939.185(1), F.S., are contingent upon
928 a specified act enacted during the 2009 Regular
929 Session becoming law and supersede amendments made by
930 that act; requiring the Florida Clerks of Court
931 Operations Corporation to report annually on certain
932 trust funds in excess of the amount needed to fund the
933 clerk budgets; directing the Justice Administrative
934 Commission to transfer the excess funds to the General
935 Revenue Fund; requiring the clerk of court to
936 implement a process for the electronic filing of
937 court-related information; requiring the Florida
938 Clerks of Court Operations Corporation to report on
939 implementation of the electronic filing process;



658444

940 expressing legislative intent for the First District
941 Court of Appeal to conduct a pilot project for
942 electronic filing of workers' compensation cases;
943 providing for a report on the pilot project;
944 prescribing the statewide budget cap for the clerks of
945 court for the 2009-2010 state fiscal year; directing
946 the Florida Clerks of Court Operations Corporation to
947 reduce the individual approved budgets of the clerks
948 of court; requiring the Office of Program Policy
949 Analysis and Government Accountability, in
950 consultation with the Chief Financial Officer and the
951 Auditor General, to provide a report regarding the
952 operation and relationship of the clerks of court and
953 the courts to the Legislature by a specified date;
954 providing report requirements; requiring the
955 Technology Review Workgroup to develop a proposed plan
956 for identifying and recommending options for
957 implementing the integrated computer system and submit
958 the plan to the Legislature by a specified date;
959 providing plan requirements; requiring reports on
960 certain purchases of computer hardware and software by
961 clerks of court; superseding provisions relating to
962 functions of the clerks of court and relating to
963 computer hardware and software purchases by the clerks
964 contained in a specified act enacted during the 2009
965 Regular Session; providing that such provisions do not
966 take effect if the specified act does not become law;
967 expressing legislative intent related to amendatory
968 acts passed during the same legislative session;



658444

969 revising the effective date of a specified act enacted
970 during the 2009 Regular Session; providing effective
971 dates.