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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2009	.	
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	.	

The Policy and Steering Committee on Ways and Means (Crist) recommended the following:

Senate Amendment to Amendment (786762) (with title amendment)

Between lines 81 and 82
insert:

Section 2. Subsection (6) of section 28.246, Florida Statutes, is amended to read:

28.246 Payment of court-related fees, charges, and costs; partial payments; distribution of funds.—

(6) A clerk of court shall ~~may~~ pursue the collection of any



695056

12 fees, service charges, fines, court costs, and liens for the
13 payment of attorney's fees and costs pursuant to s. 938.29 which
14 remain unpaid after ~~for~~ 90 days by referring ~~or more, or refer~~
15 the account to a private attorney who is a member in good
16 standing of The Florida Bar or collection agent who is
17 registered and in good standing pursuant to chapter 559. In
18 pursuing the collection of such unpaid financial obligations
19 through a private attorney or collection agent, the clerk of the
20 court must have attempted to collect the unpaid amount through a
21 collection court, collections docket, or other collections
22 process, if any, established by the court, find this to be cost-
23 effective and follow any applicable procurement practices. The
24 collection fee, including any reasonable attorney's fee, paid to
25 any attorney or collection agent retained by the clerk may be
26 added to the balance owed in an amount not to exceed 40 percent
27 of the amount owed at the time the account is referred to the
28 attorney or agent for collection.

29
30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 Delete line 753
33 and insert:
34 Services' Administrative Trust Fund; amending s. 28.246, F.S.;
35 requiring a court to refer certain unpaid accounts to a private
36 attorney or a collection agent; amending s.