

1                   A bill to be entitled  
2           An act relating to clerks of the court; transferring the  
3           Clerks of the Court Trust Fund to the Department of  
4           Revenue; amending s. 11.90, F.S.; providing additional  
5           powers and duties of the Legislative Budget Commission;  
6           amending s. 28.241, F.S.; revising distributions of filing  
7           fees for trial and appellate proceedings; amending s.  
8           28.246, F.S.; conforming provisions relating to transfer  
9           of the Clerks of the Court Trust Fund; amending s. 28.35,  
10          F.S.; deleting provisions providing for housing the  
11          Florida Clerks of Court Operations Corporation within the  
12          Justice Administrative Commission, specifying the  
13          corporation as a budget entity of the commission, and  
14          specifying corporation employees as commission employees;  
15          revising membership of the corporation's executive  
16          council; specifying that the corporation is subject to  
17          certain procurement requirements; revising and expanding  
18          the duties and responsibilities of the corporation  
19          relating to budget requests; providing definitions;  
20          requiring the corporation to submit certain budgets and  
21          information to the Legislative Budget Commission;  
22          providing duties and responsibilities of the commission;  
23          deleting a requirement that clerks of court submit certain  
24          financial audit information to the Supreme Court; amending  
25          s. 28.36, F.S.; revising required budget procedures for  
26          budget requests for funding court-related functions of the  
27          clerks of court; providing duties of the corporation;  
28          creating s. 28.365, F.S.; subjecting clerks of the courts

29 | to certain procurement requirements and limitations;  
30 | amending s. 28.37, F.S.; revising requirements for  
31 | distribution of fines, fees, service charges, and court  
32 | costs collected by clerks of the court; amending s. 28.43,  
33 | F.S.; conforming provisions relating to transfer of the  
34 | Clerks of the Court Trust Fund; amending s. 34.041, F.S.;  
35 | revising requirements for distribution of certain filing  
36 | fees collected by clerks of the court; requiring certain  
37 | filing fees to be retained as fee income of the office of  
38 | the clerk of the circuit court; amending s. 43.16, F.S.;  
39 | deleting provisions including the Florida Clerks of Court  
40 | Operations Corporation under provisions relating to the  
41 | Justice Administrative Commission; amending s. 110.205,  
42 | F.S.; deleting the Florida Clerks of Court Operations  
43 | Corporation from certain career service exempt positions  
44 | provisions; amending s. 142.01, F.S.; conforming  
45 | provisions relating to transfer of the Clerks of the Court  
46 | Trust Fund; amending s. 213.131, F.S.; specifying creation  
47 | of the Clerks of the Court Trust Fund within the  
48 | Department of Revenue; providing for credit of certain  
49 | funds to the trust fund; amending s. 216.011, F.S.;  
50 | deleting a reference to the Florida Clerks of Court  
51 | Operations Corporation as a state agency; providing for  
52 | approved budgets of the clerks of the circuit court;  
53 | providing an effective date.

54 |  
55 | Be It Enacted by the Legislature of the State of Florida:  
56 |

57           Section 1. The Clerks of the Court Trust Fund within the  
 58 Justice Administrative Commission, FLAIR number 21-2-588, is  
 59 transferred together with all balances in the fund to the  
 60 Department of Revenue.

61           Section 2. Subsection (6) of section 11.90, Florida  
 62 Statutes, is amended to read:

63           11.90 Legislative Budget Commission.—

64           (6) The commission shall have the power and duty to:

65           (a) Review and approve or disapprove budget amendments  
 66 recommended by the Governor or the Chief Justice of the Supreme  
 67 Court as provided in chapter 216.

68           (b) Develop the long-range financial outlook described in  
 69 s. 19, Art. III of the State Constitution.

70           (c) Review and approve, disapprove, or amend the budget of  
 71 the Florida Clerks of Court Operations Corporation.

72           (d) Review, approve, disapprove, or amend the total  
 73 combined budgets of the clerks of court or the budget of any  
 74 individual clerk of court.

75           ~~(e) In addition to the powers and duties specified in this~~  
 76 ~~subsection, the commission shall Exercise all other powers and~~  
 77 perform any other duties prescribed by the Legislature.

78           Section 3. Subsection (1) of section 28.241, Florida  
 79 Statutes, is amended to read:

80           28.241 Filing fees for trial and appellate proceedings.—

81           (1) (a) 1.a. Except as provided in sub-subparagraph b. and  
 82 subparagraph 2., the party instituting any civil action, suit,  
 83 or proceeding in the circuit court shall pay to the clerk of  
 84 that court a filing fee of up to \$395 in all cases in which

85 | there are not more than five defendants and an additional filing  
 86 | fee of up to \$2.50 for each defendant in excess of five. Of the  
 87 | first \$265 in filing fees, \$80 must be remitted by the clerk to  
 88 | the Department of Revenue for deposit into the General Revenue  
 89 | Fund, \$180 must be remitted to the Department of Revenue for  
 90 | deposit into the State Courts Revenue Trust Fund, \$5.00 ~~\$3.50~~  
 91 | must be remitted to the Department of Revenue for deposit into  
 92 | the Administrative Clerks of the Court Trust Fund within the  
 93 | Department of Financial Services ~~Justice Administrative~~  
 94 | ~~Commission~~ and used to fund the contract with the Florida Clerks  
 95 | of Court Operations Corporation created in s. 28.35, ~~and \$1.50~~  
 96 | ~~shall be remitted to the Department of Revenue for deposit into~~  
 97 | ~~the Administrative Trust Fund within the Department of Financial~~  
 98 | ~~Services to fund clerk budget reviews conducted by the~~  
 99 | ~~Department of Financial Services.~~ The next \$15 of the filing fee  
 100 | collected shall be deposited in the state courts' Mediation and  
 101 | Arbitration Trust Fund. One third of any filing fees collected  
 102 | by the clerk of the circuit court in excess of \$100 shall be  
 103 | remitted to the Department of Revenue for deposit into the  
 104 | department's Clerks of the Court Trust Fund ~~within the Justice~~  
 105 | ~~Administrative Commission.~~

106 |       b. The party instituting any civil action, suit, or  
 107 | proceeding in the circuit court under chapter 39, chapter 61,  
 108 | chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
 109 | 753 shall pay to the clerk of that court a filing fee of up to  
 110 | \$295 in all cases in which there are not more than five  
 111 | defendants and an additional filing fee of up to \$2.50 for each  
 112 | defendant in excess of five. Of the first \$165 in filing fees,

113 \$80 must be remitted by the clerk to the Department of Revenue  
 114 for deposit into the General Revenue Fund, \$80 must be remitted  
 115 to the Department of Revenue for deposit into the State Courts  
 116 Revenue Trust Fund, \$5.00 ~~\$3.50~~ must be remitted to the  
 117 Department of Revenue for deposit into the Administrative Clerks  
 118 ~~of the Court~~ Trust Fund within the Department of Financial  
 119 Services ~~Justice Administrative Commission~~ and used to fund the  
 120 contract with the Florida Clerks of Court Operations Corporation  
 121 created in s. 28.35, ~~and \$1.50 shall be remitted to the~~  
 122 ~~Department of Revenue for deposit into the Administrative Trust~~  
 123 ~~Fund within the Department of Financial Services to fund clerk~~  
 124 ~~budget reviews conducted by the Department of Financial~~  
 125 ~~Services.~~ The next \$15 of the filing fee collected shall be  
 126 deposited in the state courts' Mediation and Arbitration Trust  
 127 Fund.

128 c. An additional filing fee of \$4 shall be paid to the  
 129 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
 130 for deposit into the Court Education Trust Fund and shall remit  
 131 50 cents to the Department of Revenue for deposit into the  
 132 department's Clerks of the Court Trust Fund ~~within the Justice~~  
 133 ~~Administrative Commission~~ to fund clerk education. An additional  
 134 filing fee of up to \$18 shall be paid by the party seeking each  
 135 severance that is granted. The clerk may impose an additional  
 136 filing fee of up to \$85 for all proceedings of garnishment,  
 137 attachment, replevin, and distress. Postal charges incurred by  
 138 the clerk of the circuit court in making service by certified or  
 139 registered mail on defendants or other parties shall be paid by  
 140 the party at whose instance service is made. No additional fees,

141 charges, or costs shall be added to the filing fees imposed  
142 under this section, except as authorized in this section or by  
143 general law.

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

148 b. A party shall estimate in writing the amount in  
149 controversy of the claim upon filing the action. For purposes of  
150 this subparagraph, the value of a mortgage foreclosure action is  
151 based upon the principal due on the note secured by the  
152 mortgage, plus interest owed on the note and any moneys advanced  
153 by the lender for property taxes, insurance, and other advances  
154 secured by the mortgage, at the time of filing the foreclosure.  
155 The value shall also include the value of any tax certificates  
156 related to the property. In stating the value of a mortgage  
157 foreclosure claim, a party shall declare in writing the total  
158 value of the claim, as well as the individual elements of the  
159 value as prescribed in this sub-subparagraph.

160 c. In its order providing for the final disposition of the  
161 matter, the court shall identify the actual value of the claim.  
162 The clerk shall adjust the filing fee if there is a difference  
163 between the estimated amount in controversy and the actual value  
164 of the claim and collect any additional filing fee owed or  
165 provide a refund of excess filing fee paid.

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

167 (I) Three hundred and ninety-five dollars in all cases in  
168 which the value of the claim is \$50,000 or less and in which

169 | there are not more than five defendants. The party shall pay an  
 170 | additional filing fee of up to \$2.50 for each defendant in  
 171 | excess of five. Of the first \$265 in filing fees, \$80 must be  
 172 | remitted by the clerk to the Department of Revenue for deposit  
 173 | into the General Revenue Fund, \$180 must be remitted to the  
 174 | Department of Revenue for deposit into the State Courts Revenue  
 175 | Trust Fund, \$5.00 ~~\$3.50~~ must be remitted to the Department of  
 176 | Revenue for deposit into the Administrative Clerks of the Court  
 177 | Trust Fund within the Department of Financial Services Justice  
 178 | ~~Administrative Commission~~ and used to fund the contract with the  
 179 | Florida Clerks of Court Operations Corporation created in s.  
 180 | 28.35, and ~~\$1.50~~ shall be remitted to the Department of Revenue  
 181 | ~~for deposit into the Administrative Trust Fund within the~~  
 182 | ~~Department of Financial Services to fund clerk budget reviews~~  
 183 | ~~conducted by the Department of Financial Services.~~ The next \$15  
 184 | of the filing fee collected shall be deposited in the state  
 185 | courts' Mediation and Arbitration Trust Fund;

186 | (II) Nine hundred dollars in all cases in which the value  
 187 | of the claim is more than \$50,000 but less than \$250,000 and in  
 188 | which there are not more than five defendants. The party shall  
 189 | pay an additional filing fee of up to \$2.50 for each defendant  
 190 | in excess of five. Of the first \$770 in filing fees, \$80 must be  
 191 | remitted by the clerk to the Department of Revenue for deposit  
 192 | into the General Revenue Fund, \$685 must be remitted to the  
 193 | Department of Revenue for deposit into the State Courts Revenue  
 194 | Trust Fund, \$5.00 ~~\$3.50~~ must be remitted to the Department of  
 195 | Revenue for deposit into the Administrative Clerks of the Court  
 196 | Trust Fund within the Department of Financial Services Justice

197 ~~Administrative Commission~~ and used to fund the contract with the  
 198 Florida Clerks of Court Operations Corporation described in s.  
 199 28.35, and ~~\$1.50 shall be remitted to the Department of Revenue~~  
 200 ~~for deposit into the Administrative Trust Fund within the~~  
 201 ~~Department of Financial Services to fund clerk budget reviews~~  
 202 ~~conducted by the Department of Financial Services.~~ The next \$15  
 203 of the filing fee collected shall be deposited in the state  
 204 courts' Mediation and Arbitration Trust Fund; or

205 (III) One thousand nine hundred dollars in all cases in  
 206 which the value of the claim is \$250,000 or more and in which  
 207 there are not more than five defendants. The party shall pay an  
 208 additional filing fee of up to \$2.50 for each defendant in  
 209 excess of five. Of the first \$1,770 in filing fees, \$80 must be  
 210 remitted by the clerk to the Department of Revenue for deposit  
 211 into the General Revenue Fund, \$1,685 must be remitted to the  
 212 Department of Revenue for deposit into the State Courts Revenue  
 213 Trust Fund, \$5.00 ~~\$3.50~~ must be remitted to the Department of  
 214 Revenue for deposit into the Administrative Clerks of the Court  
 215 Trust Fund within the Department of Financial Services ~~Justice~~  
 216 ~~Administrative Commission~~ to fund the contract with the Florida  
 217 Clerks of Court Operations Corporation created in s. 28.35, and  
 218 ~~\$1.50 shall be remitted to the Department of Revenue for deposit~~  
 219 ~~into the Administrative Trust Fund within the Department of~~  
 220 ~~Financial Services to fund clerk budget reviews conducted by the~~  
 221 ~~Department of Financial Services.~~ The next \$15 of the filing fee  
 222 collected shall be deposited in the state courts' Mediation and  
 223 Arbitration Trust Fund.

224 e. An additional filing fee of \$4 shall be paid to the



225 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
 226 for deposit into the Court Education Trust Fund and shall remit  
 227 50 cents to the Department of Revenue for deposit into the  
 228 department's Clerks of the Court Trust Fund ~~within the Justice~~  
 229 ~~Administrative Commission~~ to fund clerk education. An additional  
 230 filing fee of up to \$18 shall be paid by the party seeking each  
 231 severance that is granted. The clerk may impose an additional  
 232 filing fee of up to \$85 for all proceedings of garnishment,  
 233 attachment, replevin, and distress. Postal charges incurred by  
 234 the clerk of the circuit court in making service by certified or  
 235 registered mail on defendants or other parties shall be paid by  
 236 the party at whose instance service is made. No additional fees,  
 237 charges, or costs shall be added to the filing fees imposed  
 238 under this section, except as authorized in this section or by  
 239 general law.

240 (b) A party reopening any civil action, suit, or  
 241 proceeding in the circuit court shall pay to the clerk of court  
 242 a filing fee set by the clerk in an amount not to exceed \$50.  
 243 For purposes of this section, a case is reopened when a case  
 244 previously reported as disposed of is resubmitted to a court and  
 245 includes petitions for modification of a final judgment of  
 246 dissolution. A party is exempt from paying the fee for any of  
 247 the following:

- 248 1. A writ of garnishment;
- 249 2. A writ of replevin;
- 250 3. A distress writ;
- 251 4. A writ of attachment;
- 252 5. A motion for rehearing filed within 10 days;

253 6. A motion for attorney's fees filed within 30 days after  
 254 entry of a judgment or final order;

255 7. A motion for dismissal filed after a mediation  
 256 agreement has been filed;

257 8. A disposition of personal property without  
 258 administration;

259 9. Any probate case prior to the discharge of a personal  
 260 representative;

261 10. Any guardianship pleading prior to discharge;

262 11. Any mental health pleading;

263 12. Motions to withdraw by attorneys;

264 13. Motions exclusively for the enforcement of child  
 265 support orders;

266 14. A petition for credit of child support;

267 15. A Notice of Intent to Relocate and any order issuing  
 268 as a result of an uncontested relocation;

269 16. Stipulations;

270 17. Responsive pleadings; or

271 18. Cases in which there is no initial filing fee.

272 (c)1. A party in addition to a party described in sub-  
 273 subparagraph (a)1.a. who files a pleading in an original civil  
 274 action in circuit court for affirmative relief by cross-claim,  
 275 counterclaim, counterpetition, or third-party complaint shall  
 276 pay the clerk of court a fee of \$395. A party in addition to a  
 277 party described in sub-subparagraph (a)1.b. who files a pleading  
 278 in an original civil action in circuit court for affirmative  
 279 relief by cross-claim, counterclaim, counterpetition, or third-  
 280 party complaint shall pay the clerk of court a fee of \$295. The

281 clerk shall remit the fee to the Department of Revenue for  
 282 deposit into the General Revenue Fund.

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

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

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

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

294

295 The clerk shall remit the fees collected under this subparagraph  
 296 to the Department of Revenue for deposit into the General  
 297 Revenue Fund, except that the clerk shall remit \$100 of the fee  
 298 collected under sub-subparagraph a., \$605 of the fee collected  
 299 under sub-subparagraph b., and \$1,605 of the fee collected under  
 300 sub-subparagraph c. to the Department of Revenue for deposit  
 301 into the State Courts Revenue Trust Fund.

302 (d) The clerk of court shall collect a service charge of  
 303 \$10 for issuing a summons. The clerk shall assess the fee  
 304 against the party seeking to have the summons issued.

305 Section 4. Paragraph (b) of subsection (5) of section  
 306 28.246, Florida Statutes, is amended to read:

307 28.246 Payment of court-related fees, charges, and costs;  
 308 partial payments; distribution of funds.—

309 (5) When receiving partial payment of fees, service  
 310 charges, court costs, and fines, clerks shall distribute funds  
 311 according to the following order of priority:

312 (b) That portion of fees, service charges, court costs,  
 313 and fines which are required to be retained by the clerk of the  
 314 court or deposited into the Clerks of the Court Trust Fund  
 315 within the Department of Revenue ~~Justice Administrative~~  
 316 ~~Commission~~.

317  
 318 To offset processing costs, clerks may impose either a per-month  
 319 service charge pursuant to s. 28.24(26) (b) or a one-time  
 320 administrative processing service charge at the inception of the  
 321 payment plan pursuant to s. 28.24(26) (c).

322 Section 5. Section 28.35, Florida Statutes, is amended to  
 323 read:

324 28.35 Florida Clerks of Court Operations Corporation.—

325 (1) (a) The Florida Clerks of Court Operations Corporation  
 326 is created as a public corporation organized to perform the  
 327 functions specified in this section and ~~s. 28.36 and shall be~~  
 328 ~~administratively housed within the Justice Administrative~~  
 329 ~~Commission. The corporation shall be a budget entity within the~~  
 330 ~~Justice Administrative Commission, and its employees shall be~~  
 331 ~~considered state employees. The corporation is not subject to~~  
 332 ~~control, supervision, or direction by the Justice Administrative~~  
 333 ~~Commission in the performance of its duties, but the employees~~  
 334 ~~of the corporation shall be governed by the classification plan~~  
 335 ~~and salary and benefits plan of the Justice Administrative~~  
 336 ~~Commission. The classification plan must have a separate chapter~~

337 ~~for the corporation.~~ All clerks of the circuit court shall be  
338 members of the corporation and hold their position and authority  
339 in an ex officio capacity. The functions assigned to the  
340 corporation shall be performed by an executive council pursuant  
341 to the plan of operation approved by the members.

342 (b) The executive council shall be composed of eight  
343 clerks of the court elected by the clerks of the courts for a  
344 term of 2 years, with two clerks from counties with a population  
345 of fewer than 100,000, two clerks from counties with a  
346 population of at least 100,000 but fewer than 500,000, two  
347 clerks from counties with a population of at least 500,000 but  
348 fewer than 1 million, and two clerks from counties with a  
349 population of more than 1 million. ~~The executive council shall~~  
350 ~~also include, as ex officio members, a designee of the President~~  
351 ~~of the Senate and a designee of the Speaker of the House of~~  
352 ~~Representatives. The Chief Justice of the Supreme Court shall~~  
353 ~~designate one additional member to represent the state courts~~  
354 ~~system.~~

355 (c) The corporation shall be considered a political  
356 subdivision of the state and shall be exempt from the corporate  
357 income tax. The corporation is ~~not~~ subject to the procurement  
358 provisions of chapter 287 ~~120~~.

359 (d) The functions assigned to the corporation under this  
360 section and ss. 28.36 and 28.37 are considered to be for a valid  
361 public purpose.

362 (2) The duties of the corporation shall include the  
363 following:

364 (a) Adopting a plan of operation.

365 (b) Conducting the election of directors as required in  
 366 paragraph (1) (a).

367 (c) Recommending to the Legislature changes in the various  
 368 court-related fines, fees, service charges, and court costs  
 369 established by law to ensure reasonable and adequate funding of  
 370 the clerks of the court in the performance of their court-  
 371 related functions.

372 (d) Developing and certifying a uniform system of  
 373 performance measures and applicable workload performance  
 374 standards for the functions specified in paragraph (3) (a) and  
 375 ~~the service unit costs required in s. 28.36 and measures for~~  
 376 clerk workload performance in meeting the workload performance  
 377 standards. These workload performance measures and workload  
 378 performance standards shall be designed to facilitate an  
 379 objective determination of the performance of each clerk in  
 380 accordance with minimum standards for fiscal management,  
 381 operational efficiency, and effective collection of fines, fees,  
 382 service charges, and court costs. The corporation shall develop  
 383 the workload performance measures and workload performance  
 384 standards in consultation with the Legislature ~~and the Supreme~~  
 385 ~~Court. The Legislature may modify the clerk performance measures~~  
 386 ~~and performance standards in legislation implementing the~~  
 387 ~~General Appropriations Act or other law.~~ When the corporation  
 388 finds a clerk has not met the workload performance standards,  
 389 the corporation shall identify the nature of each deficiency and  
 390 any corrective action recommended and taken by the affected  
 391 clerk of the court. The corporation shall notify the Legislature  
 392 ~~and the Supreme Court~~ of any clerk not meeting performance

393 standards and provide a copy of any corrective action plans. For  
 394 the purposes of this section, the term:

395 1. "Workload performance measures" means the measurement  
 396 of the activities and frequency of the work required for the  
 397 clerk to adequately perform the court-related duties of the  
 398 office.

399 2. "Workload performance standards" means the standards  
 400 developed to measure the timeliness and effectiveness of the  
 401 activities that are accomplished by the clerk in the performance  
 402 of the court-related duties of the office.

403 (e) Pursuant to contract with the Chief Financial Officer,  
 404 establishing a process for the review of proposed court-related  
 405 budgets submitted by clerks of the court for completeness and  
 406 compliance with this section and ss. 28.36 and 28.37. Such  
 407 process shall be designed and be of sufficient detail to permit  
 408 independent verification and validation of such budgets. The  
 409 contract shall specify the process to be used in determining  
 410 compliance by the corporation with this section and ss. 28.36  
 411 and 28.37 and shall require the corporation to determine the  
 412 minimum amount of revenue necessary for each clerk of court to  
 413 efficiently perform the list of court-related functions  
 414 specified in paragraph (3) (a) in its budget review and approval  
 415 process.

416 (f) ~~(e)~~ Reviewing and certifying proposed budgets submitted  
 417 by clerks of the court using the process approved by the Chief  
 418 Financial Officer pursuant to paragraph (e) for the purpose of  
 419 making the certification in paragraph (3) (a). As part of this  
 420 process, the corporation shall: ~~pursuant to s. 28.36.~~

421 1. Calculate the minimum amount of revenue necessary for  
422 each to efficiently perform the list of court-related functions  
423 specified in paragraph (3) (a).

424 2. Prepare a cost comparison of similarly situated clerks  
425 of court, based on county population and numbers of filings,  
426 using the standard list of court-related functions specified in  
427 paragraph (3) (a).

428 3. Conduct an annual base budget review and an annual  
429 budget exercise examining the total budget of each clerk of  
430 court. The review shall examine revenues from all sources,  
431 expenses of court-related functions, and expenses of non-court-  
432 related functions as necessary to determine that court-related  
433 revenues are not being used for non-court-related purposes.  
434 Funds paid by a clerk to join or be a member of any group or  
435 organization shall be separately listed and the benefits  
436 received from any such group or organization described in  
437 detail. The review and exercise shall identify potential  
438 targeted budget reductions in the percentage amount provided in  
439 Schedule VIII-B of the state's prior year's legislative budget  
440 instructions, as referenced in s. 216.023(3), or an equivalent  
441 schedule or instruction as may be adopted by the Legislature.

442 4. Identify those proposed budgets containing funding for  
443 items not included on the standard list of court-related  
444 functions specified in paragraph (3) (a).

445 5. Identify those clerks projected to have court-related  
446 revenues insufficient to fund their anticipated court-related  
447 expenditures.

448 (g) ~~(f)~~ Developing and conducting clerk education programs.



449        (h) ~~(g)~~ Publishing a uniform schedule of actual fees,  
 450 service charges, and costs charged by a clerk of the court  
 451 pursuant to general law.

452        (i) By August 1 of each year, submitting to the  
 453 Legislative Budget Commission, as provided in s. 11.90, its  
 454 proposed budget and the information described in paragraph (f),  
 455 as well as the approved budgets for each clerk of court and the  
 456 corporation. By September 15 of each year, the Legislative  
 457 Budget Commission shall consider the submitted budgets and shall  
 458 approve, disapprove or amend the corporation's budget and shall  
 459 approve, disapprove, or amend and approve the total of the  
 460 clerks' combined budgets or any individual clerk's budget. If  
 461 the Legislative Budget Commission fails to approve or amend the  
 462 clerks' combined budgets by September 15, the clerk shall  
 463 continue to perform the court-related functions based upon the  
 464 clerk's approved budget for the preceding county fiscal year.  
 465 If the Legislative Budget Commission fails to approve or amend  
 466 the corporation's budget by September 15, the clerk shall  
 467 continue to operate based upon the corporation's approved budget  
 468 for the preceding county fiscal year.

469        (3) (a) The list of court-related functions that clerks may  
 470 fund from filing fees, service charges, court costs, and fines  
 471 is perform ~~are~~ limited to those functions expressly authorized  
 472 by law or court rule. Those functions include the following:  
 473 case maintenance; records management; court preparation and  
 474 attendance; processing the assignment, reopening, and  
 475 reassignment of cases; processing of appeals; collection and  
 476 distribution of fines, fees, service charges, and court costs;

477 processing of bond forfeiture payments; payment of jurors and  
 478 witnesses; payment of expenses for meals or lodging provided to  
 479 jurors; data collection and reporting; processing of jurors;  
 480 determinations of indigent status; and reasonable administrative  
 481 support costs to enable the clerk of the court to carry out  
 482 these court-related functions.

483 (b) The list of functions that clerks may not fund from  
 484 filing fees, service charges, court costs, and fines includes  
 485 ~~state appropriations include:~~

- 486 1. Those functions not specified within paragraph (a).
- 487 2. Functions assigned by administrative orders which are  
 488 not required for the clerk to perform the functions in paragraph  
 489 (a).
- 490 3. Enhanced levels of service which are not required for  
 491 the clerk to perform the functions in paragraph (a).
- 492 4. Functions identified as local requirements in law or  
 493 local optional programs.

494 (4) The corporation shall ~~prepare a legislative budget~~  
 495 ~~request for the resources necessary to perform its duties,~~  
 496 ~~submit the request pursuant to chapter 216, and be funded~~  
 497 pursuant to a contract with the Chief Financial Officer. Funds  
 498 shall be provided to the Chief Financial Officer for such  
 499 purpose as appropriated by general law. Such funds shall be  
 500 available to the corporation for the performance of the duties  
 501 and responsibilities as set forth in this section as a budget  
 502 ~~entity in the General Appropriations Act.~~ The corporation may  
 503 hire staff and pay other expenses from such funds ~~state~~  
 504 ~~appropriations~~ as necessary to perform the official duties and

505 responsibilities of the corporation as described in this section  
 506 ~~by law.~~

507 (5) (a) The corporation shall submit an annual audited  
 508 financial statement to the Auditor General in a form and manner  
 509 prescribed by the Auditor General. The Auditor General shall  
 510 conduct an annual audit of the operations of the corporation,  
 511 including the use of funds and compliance with the provisions of  
 512 this section and ss. 28.36 and 28.37.

513 (b) Certified public accountants conducting audits of  
 514 counties pursuant to s. 218.39 shall report, as part of the  
 515 audit, whether or not the clerks of the courts have complied  
 516 with the requirements of this section and s. 28.36. ~~In addition,~~  
 517 ~~each clerk of court shall forward a copy of the portion of the~~  
 518 ~~financial audit relating to the court-related duties of the~~  
 519 ~~clerk of court to the Supreme Court.~~ The Auditor General shall  
 520 develop a compliance supplement for the audit of compliance with  
 521 the budgets and applicable workload performance standards  
 522 certified by the corporation.

523 Section 6. Section 28.36, Florida Statutes, is amended to  
 524 read:

525 28.36 Budget procedure.—There is established a budget  
 526 procedure ~~for preparing budget requests for funding~~ for the  
 527 court-related functions of the clerks of the court.

528 (1) Only those functions on the standard list developed  
 529 pursuant to s. 28.35(3)(a) may be funded from fees, service  
 530 charges, court costs, and fines retained by the clerks of the  
 531 court. For the county fiscal year beginning October 1, 2010, and  
 532 for each county fiscal year thereafter, each clerk of court

533 shall prepare a budget request for court-related expenditures  
534 ~~that the last quarter of the county fiscal year and the first~~  
535 ~~three quarters of the next county fiscal year.~~ The proposed  
536 ~~budget~~ shall be prepared, summarized, and submitted by the clerk  
537 in each county to the Florida Clerks of Court Operations  
538 Corporation in the manner and form prescribed by the corporation  
539 to meet the requirements of law. ~~Each clerk shall forward a copy~~  
540 ~~of his or her budget request to the Supreme Court.~~ The budget  
541 requests must be provided to the corporation by June ~~October~~ 1  
542 of the each year prior to the year of the budget.

543 (2) Each proposed budget shall also conform to the  
544 requirements of this subsection. On or before June 1 for each  
545 fiscal year thereafter, the clerk of the court in each county  
546 shall prepare, summarize, and submit a proposed budget to the  
547 Florida Clerks of Court Operations Corporation in the manner and  
548 form prescribed by the corporation. However, at a minimum, the  
549 proposed budgets shall include for each clerk the information  
550 required by s. 28.35(2)(f) and shall specify any salary  
551 increases or any bonuses anticipated to be made to employees of  
552 the office performing court-related duties. The proposed budget  
553 must provide detailed information on the anticipated revenues  
554 available and expenditures necessary for the performance of the  
555 standard list of court-related functions of the clerk's office  
556 developed pursuant to s. 28.35(3)(a) for the county fiscal year  
557 beginning the following October 1. The Florida Clerks of Court  
558 Operations Corporation shall also prepare its proposed budget by  
559 July 1 of each year ~~clerk shall include in his or her budget~~  
560 ~~request a projection of the amount of court-related fees,~~

561 ~~service charges, and any other court-related clerk fees which~~  
562 ~~will be collected during the proposed budget period. If the~~  
563 ~~corporation determines that the proposed budget is limited to~~  
564 ~~the standard list of court-related functions in s. 28.35(3)(a)~~  
565 ~~and the projected court-related revenues are less than the~~  
566 ~~proposed budget, the clerk shall increase all fees, service~~  
567 ~~charges, and any other court-related clerk fees and charges to~~  
568 ~~the maximum amounts specified by law or the amount necessary to~~  
569 ~~resolve the deficit, whichever is less.~~

570       (3) Each proposed budget must be balanced, such that the  
571 total of the estimated revenues available must equal or exceed  
572 the total of the anticipated expenditures. Such revenues include  
573 cash balances brought forward from the prior fiscal period;  
574 revenue projected to be received from fees, service charges,  
575 court costs, and fines for court-related functions during the  
576 fiscal period covered by the budget; and supplemental revenue  
577 that may be requested pursuant to subsection (4). The  
578 anticipated expenditures must be itemized as required by the  
579 corporation, pursuant to contract with the Chief Financial  
580 Officer ~~clerk shall include in his or her budget request the~~  
581 ~~number of personnel and the proposed budget for each of the~~  
582 ~~following core services:~~

- 583       ~~(a) Case processing.~~  
584       ~~(b) Financial processing.~~  
585       ~~(c) Jury management.~~  
586       ~~(d) Information and reporting.~~

587  
588 ~~Central administrative costs shall be allocated among the core-~~

589 ~~services categories.~~

590       (4) If a clerk of the court estimates that available funds  
591 plus projected revenues from fines, fees, service charges, and  
592 costs for court-related services are insufficient to meet the  
593 anticipated expenditures for the standard list of court-related  
594 functions in s. 28.35(3)(a) performed by his or her office, the  
595 clerk must report the revenue deficit to the corporation in the  
596 manner and form prescribed by the corporation pursuant to  
597 contract with the Chief Financial Officer. The corporation shall  
598 verify that the proposed budget is limited to the standard list  
599 of court-related functions in s. 28.35(3)(a) and that any  
600 reported deficit funding is necessary for the clerk to  
601 adequately perform the court-related duties based on workload.

602       (a) If the corporation verifies that the proposed budget  
603 is limited to the standard list of court-related functions in s.  
604 28.35(3)(a) and a revenue deficit is projected, a clerk seeking  
605 to retain revenues pursuant to this subsection shall increase  
606 all fees, service charges, and any other court-related clerk  
607 fees and charges to the maximum amounts specified by law or the  
608 amount necessary to resolve the deficit, whichever is less. If,  
609 after increasing fees, service charges, and any other court-  
610 related clerk fees and charges to the maximum amounts specified  
611 by law, a revenue deficit is still projected, the corporation  
612 shall, pursuant to the terms of the contract with the Chief  
613 Financial Officer, certify a revenue deficit and notify the  
614 Department of Revenue that the clerk is authorized to retain  
615 revenues, in an amount necessary to fully fund the projected  
616 revenue deficit, which he or she would otherwise be required to

617 remit to the Department of Revenue for deposit into the  
618 department's Clerks of the Court Trust Fund pursuant to s.  
619 28.37. If a revenue deficit is projected for that clerk after  
620 retaining all of the projected collections from the court-  
621 related fines, fees, service charges, and costs, the Department  
622 of Revenue shall certify the amount of the revenue deficit  
623 amount to the Executive Office of the Governor and request  
624 release authority for funds appropriated for this purpose from  
625 the department's Clerks of the Court Trust Fund. Notwithstanding  
626 the provisions of s. 216.192 relating to the release of funds,  
627 the Executive Office of the Governor may approve the release of  
628 funds appropriated to resolve projected revenue deficits in  
629 accordance with the notice, review, and objection procedures set  
630 forth in s. 216.177 and shall provide notice to the Chief  
631 Financial Officer. The Department of Revenue shall request  
632 monthly distributions from the Chief Financial Officer in equal  
633 amounts to each clerk certified to have a revenue deficit, in  
634 accordance with the releases approved by the Governor.

635 (b) If the Chief Financial Officer finds the court-related  
636 budget proposed by a clerk includes functions not included in  
637 the standard list of court-related functions in s. 28.35(3)(a),  
638 the Chief Financial Officer shall notify the clerk of the amount  
639 of the proposed budget not eligible to be funded from fines,  
640 fees, service charges, and costs for court-related functions and  
641 shall identify appropriate corrective measures to ensure budget  
642 integrity. The clerk shall immediately discontinue all  
643 ineligible expenditures of court-related funds for non-court-  
644 related functions and reimburse the Clerks of the Court Trust

645 Fund for any previously ineligible expenditures made for non-  
 646 court-related functions, and shall implement any corrective  
 647 actions identified by the Chief Financial Officer. The budget  
 648 ~~request must identify the service units to be provided within~~  
 649 ~~each core service. The service units shall be developed by the~~  
 650 ~~corporation, in consultation with the Supreme Court, the Chief~~  
 651 ~~Financial Officer, and the appropriations committees of the~~  
 652 ~~Senate and the House of Representatives.~~

653 ~~(5) The budget request must propose a unit cost for each~~  
 654 ~~service unit. The corporation shall provide a copy of each~~  
 655 ~~clerk's budget request to the Supreme Court.~~

656 ~~(6) The corporation shall review each individual clerk's~~  
 657 ~~prior-year expenditures, projected revenue, proposed unit costs,~~  
 658 ~~and the proposed budget for each of the core-services~~  
 659 ~~categories. The corporation shall compare each clerk's prior-~~  
 660 ~~year expenditures and unit costs for core services with a peer~~  
 661 ~~group of clerks' offices having a population of a similar size~~  
 662 ~~and a similar number of case filings. If the corporation finds~~  
 663 ~~that the expenditures, unit costs, or proposed budget of a clerk~~  
 664 ~~is significantly higher than those of clerks in that clerk's~~  
 665 ~~peer group, the corporation shall require the clerk to submit~~  
 666 ~~documentation justifying the difference in each core-services~~  
 667 ~~category. Justification for higher expenditures may include, but~~  
 668 ~~is not limited to, collective bargaining agreements, county~~  
 669 ~~civil service agreements, and the number and distribution of~~  
 670 ~~courthouses served by the clerk. If the expenditures and unit~~  
 671 ~~costs are not justified, the corporation shall recommend a~~  
 672 ~~reduction in the funding for that core-services category in the~~



673 ~~budget request to an amount similar to the peer group of clerks~~  
674 ~~or to an amount that the corporation determines is justified.~~

675 ~~(7) The corporation shall complete its review and~~  
676 ~~adjustments to the clerks' budget requests and make its~~  
677 ~~recommendations to the Legislature and the Supreme Court by~~  
678 ~~December 1 each year.~~

679 ~~(8) The Chief Financial Officer shall review the proposed~~  
680 ~~unit costs associated with each clerk of court's budget request~~  
681 ~~and make recommendations to the Legislature. The Chief Financial~~  
682 ~~Officer may conduct any audit of the corporation or a clerk of~~  
683 ~~court as authorized by law. The Chief Justice of the Supreme~~  
684 ~~Court may request an audit of the corporation or any clerk of~~  
685 ~~court by the Chief Financial Officer.~~

686 ~~(9) The Legislature shall appropriate the total amount for~~  
687 ~~the budgets of the clerks in the General Appropriations Act. The~~  
688 ~~Legislature may reject or modify any or all of the unit costs~~  
689 ~~recommended by the corporation. If the Legislature does not~~  
690 ~~specify the unit costs in the General Appropriations Act or~~  
691 ~~other law, the unit costs recommended by the corporation shall~~  
692 ~~be the official unit costs for that budget period.~~

693 ~~(10) For the 2009-2010 fiscal year, the corporation shall~~  
694 ~~release appropriations in an amount equal to one-twelfth of each~~  
695 ~~clerk's approved budget each month. The statewide total~~  
696 ~~appropriation for the 2009-2010 fiscal year shall be set in the~~  
697 ~~General Appropriations Act. The corporation shall determine the~~  
698 ~~amount of each clerk of court budget, but the statewide total of~~  
699 ~~such amounts may not exceed the amount listed in the General~~  
700 ~~Appropriations Act. Beginning in the 2010-2011 fiscal year, the~~

701 ~~corporation shall release appropriations to each clerk~~  
 702 ~~quarterly. The amount of the release shall be based on the prior~~  
 703 ~~quarter's performance of service units identified in the four~~  
 704 ~~core services and the established unit costs for each clerk.~~

705 ~~(11) The corporation may submit proposed legislation to~~  
 706 ~~the Governor, the President of the Senate, and the Speaker of~~  
 707 ~~the House of Representatives relating to the preparation of~~  
 708 ~~budget requests of the clerks of court.~~

709 Section 7. Section 28.365, Florida Statutes, is created to  
 710 read:

711 28.365 Procurement.-The clerks of court are subject to the  
 712 procurement requirements and limitations of chapter 287 for  
 713 expenditures made pursuant to the budget provided for in s.  
 714 28.35.

715 Section 8. Section 28.37, Florida Statutes, is amended to  
 716 read:

717 28.37 Fines, fees, service charges, and costs remitted to  
 718 the state.-

719 (1) Pursuant to s. 14(b), Art. V of the State  
 720 Constitution, selected salaries, costs, and expenses of the  
 721 state courts system and court-related functions shall be funded  
 722 from a portion of the revenues derived from statutory fines,  
 723 fees, service charges, and costs collected by the clerks of the  
 724 court.

725 (2) Beginning July 1, 2010, except as otherwise provided  
 726 in ss. 28.241 and 34.041, one-third of all fines, fees, service  
 727 charges, and court costs collected by the clerks of the court  
 728 during the prior month for the performance of court-related

729 functions shall be remitted to the Department of Revenue for  
730 deposit into the department's Clerks of the Court Trust Fund.  
731 Such collections do not include funding received for the  
732 operation of the Title IV-D child support collections and  
733 disbursement program. The clerk of the court shall remit the  
734 revenues collected during the prior month due to the state on or  
735 before the 20th day of each month. The Department of Revenue  
736 shall make a monthly transfer to the General Revenue Fund of the  
737 funds in the department's Clerks of the Court Trust Fund that  
738 are not needed to resolve clerk of the court revenue deficits,  
739 as specified in s. 28.36.

740 (3) Beginning January 1, 2010, and each January 1  
741 thereafter for the preceding county fiscal year of October 1  
742 through September 30, the clerk of the court shall remit to the  
743 Department of Revenue for deposit in the General Revenue Fund  
744 the cumulative excess of all fines, fees, service charges, and  
745 court costs retained by the clerks of the court, plus any funds  
746 received by the clerks of the court from the department's Clerk  
747 of the Court Trust Fund under s. 28.36(4)(a), that exceed the  
748 amount needed to meet the approved budget amounts established  
749 under s. 28.36.

750 (4) The Department of Revenue shall collect any funds that  
751 the Florida Clerks of Court Operations Corporation determines  
752 upon investigation were due on January 1 but not remitted to the  
753 department. ~~Except as otherwise provided in ss. 28.241 and~~  
754 ~~34.041, all court-related fines, fees, service charges, and~~  
755 ~~costs are considered state funds and shall be remitted by the~~  
756 ~~elrk to the Department of Revenue for deposit into the Clerks~~

757 ~~of the Court Trust Fund within the Justice Administrative~~  
 758 ~~Commission. However, 10 percent of all court-related fines~~  
 759 ~~collected by the clerk shall be deposited into the clerk's~~  
 760 ~~Public Records Modernization Trust Fund to be used exclusively~~  
 761 ~~for additional clerk court-related operational needs and program~~  
 762 ~~enhancements.~~

763 Section 9. Subsection (1) of section 28.43, Florida  
 764 Statutes, is amended to read:

765 28.43 Adoption of rules relating to ss. 28.35, 28.36, and  
 766 28.37.—

767 (1) The Department of Revenue may adopt rules necessary to  
 768 carry out its responsibilities in ss. 28.35, 28.36, and 28.37.  
 769 The rules shall include forms and procedures for transferring  
 770 funds from the clerks of the court to the Clerks of the Court  
 771 Trust Fund within the Department of Revenue ~~Justice~~  
 772 ~~Administrative Commission.~~

773 Section 10. Paragraph (b) of subsection (1) of section  
 774 34.041, Florida Statutes, is amended to read:

775 34.041 Filing fees.—

776 (1)

777 (b) The first \$80 of the filing fee collected under  
 778 subparagraph (a)4. shall be remitted to the Department of  
 779 Revenue for deposit into the General Revenue Fund. The next \$15  
 780 of the filing fee collected under subparagraph (a)4., and the  
 781 first \$10 of the filing fee collected under subparagraph (a)7.,  
 782 shall be deposited in the state courts' Mediation and  
 783 Arbitration Trust Fund. One-third of any filing fees collected  
 784 by the clerk under this section in excess of the first \$95

785 collected under subparagraph (a)4. shall be remitted to the  
 786 Department of Revenue for deposit into the department's Clerks  
 787 of the Court Trust Fund. An additional filing fee of \$4 shall be  
 788 paid to the clerk. The clerk shall transfer \$3.50 to the  
 789 Department of Revenue for deposit into the Court Education Trust  
 790 Fund and shall transfer 50 cents to the Department of Revenue  
 791 for deposit into the department's Clerks of the Court Trust Fund  
 792 ~~within the Justice Administrative Commission~~ to fund clerk  
 793 education. Postal charges incurred by the clerk of the county  
 794 court in making service by mail on defendants or other parties  
 795 shall be paid by the party at whose instance service is made.  
 796 Except as provided herein, filing fees and service charges for  
 797 performing duties of the clerk relating to the county court  
 798 shall be as provided in ss. 28.24 and 28.241. Except as  
 799 otherwise provided herein, all filing fees shall be retained as  
 800 fee income of the office of the clerk of the circuit court  
 801 ~~remitted to the Department of Revenue for deposit into the~~  
 802 ~~Clerks of the Court Trust Fund within the Justice Administrative~~  
 803 ~~Commission.~~ Filing fees imposed by this section may not be added  
 804 to any penalty imposed by chapter 316 or chapter 318.

805 Section 11. Subsection (5) of section 43.16, Florida  
 806 Statutes, is amended to read:

807 43.16 Justice Administrative Commission; membership,  
 808 powers and duties.—

809 (5) The duties of the commission shall include, but not be  
 810 limited to, the following:

811 (a) The maintenance of a central state office for  
 812 administrative services and assistance when possible to and on

813 | behalf of the state attorneys and public defenders of Florida,  
 814 | the capital collateral regional counsel of Florida, the criminal  
 815 | conflict and civil regional counsel, and the Guardian Ad Litem  
 816 | Program, ~~and the Florida Clerks of Court Operations Corporation.~~

817 | (b) Each state attorney, public defender, criminal  
 818 | conflict and civil regional counsel, and the Guardian Ad Litem  
 819 | Program, ~~and the Florida Clerks of Court Operations Corporation~~  
 820 | shall continue to prepare necessary budgets, vouchers that  
 821 | represent valid claims for reimbursement by the state for  
 822 | authorized expenses, and other things incidental to the proper  
 823 | administrative operation of the office, such as revenue  
 824 | transmittals to the Chief Financial Officer and automated  
 825 | systems plans, but will forward same to the commission for  
 826 | recording and submission to the proper state officer. However,  
 827 | when requested by a state attorney, a public defender, a  
 828 | criminal conflict and civil regional counsel, or the Guardian Ad  
 829 | Litem Program, the commission will either assist in the  
 830 | preparation of budget requests, voucher schedules, and other  
 831 | forms and reports or accomplish the entire project involved.

832 | Section 12. Paragraph (x) of subsection (2) of section  
 833 | 110.205, Florida Statutes, is amended to read:

834 | 110.205 Career service; exemptions.—

835 | (2) EXEMPT POSITIONS.—The exempt positions that are not  
 836 | covered by this part include the following:

837 | (x) All officers and employees of the Justice  
 838 | Administrative Commission, Office of the State Attorney, Office  
 839 | of the Public Defender, regional offices of capital collateral  
 840 | counsel, offices of criminal conflict and civil regional

841 counsel, and Statewide Guardian Ad Litem Office, including the  
 842 circuit guardian ad litem programs ~~and the Florida Clerks of~~  
 843 ~~Court Operations Corporation.~~

844 Section 13. Subsections (2) and (3) of section 142.01,  
 845 Florida Statutes, are amended to read:

846 142.01 Fine and forfeiture fund; disposition of revenue;  
 847 clerk of the circuit court.—

848 ~~(2) All revenues received by the clerk in the fine and~~  
 849 ~~forfeiture fund from court-related fees, fines, costs, and~~  
 850 ~~service charges are considered state funds and shall be remitted~~  
 851 ~~monthly to the Department of Revenue for deposit into the Clerks~~  
 852 ~~of the Court Trust Fund within the Justice Administrative~~  
 853 ~~Commission.~~

854 (2) ~~(3)~~ Notwithstanding the provisions of this section, all  
 855 fines and forfeitures arising from operation of the provisions  
 856 of s. 318.1215 shall be disbursed in accordance with that  
 857 section.

858 Section 14. Section 213.131, Florida Statutes, is amended  
 859 to read:

860 213.131 Clerks of the Court Trust Fund within the  
 861 Department of Revenue ~~Justice Administrative Commission.~~—The  
 862 Clerks of the Court Trust Fund is created within the Department  
 863 of Revenue ~~Justice Administrative Commission.~~ Funds received by  
 864 the department from the clerks of court shall be credited to the  
 865 trust fund as provided in chapter 2001-122, Laws of Florida, to  
 866 be used for the purposes set forth in that act.

867 Section 15. Paragraph (qq) of subsection (1) of section  
 868 216.011, Florida Statutes, is amended to read:

869 216.011 Definitions.—

870 (1) For the purpose of fiscal affairs of the state,  
 871 appropriations acts, legislative budgets, and approved budgets,  
 872 each of the following terms has the meaning indicated:

873 (qq) "State agency" or "agency" means any official,  
 874 officer, commission, board, authority, council, committee, or  
 875 department of the executive branch of state government. For  
 876 purposes of this chapter and chapter 215, "state agency" or  
 877 "agency" includes, but is not limited to, state attorneys,  
 878 public defenders, criminal conflict and civil regional counsel,  
 879 capital collateral regional counsel, ~~the Florida Clerks of Court~~  
 880 ~~Operations Corporation,~~ the Justice Administrative Commission,  
 881 the Florida Housing Finance Corporation, and the Florida Public  
 882 Service Commission. Solely for the purposes of implementing s.  
 883 19(h), Art. III of the State Constitution, the terms "state  
 884 agency" or "agency" include the judicial branch.

885 Section 16. For the period of July 1, 2010, through  
 886 September 30, 2010, the approved budget for the clerks of the  
 887 circuit court shall be \$112,845,078. The Clerks of Court  
 888 Operations Corporation shall determine budget amounts for the  
 889 individual clerks.

890 Section 17. This act shall take effect July 1, 2010.