

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           28.2455, F.S.; correcting references to the Clerks of the  
9           Court Trust Fund; amending s. 28.246, F.S.; conforming  
10          provisions relating to the transfer of the Clerks of the  
11          Court Trust Fund; amending s. 28.35, F.S.; deleting  
12          provisions relating to housing the Florida Clerks of Court  
13          Operations Corporation within the Justice Administrative  
14          Commission, to specifying the corporation as a budget  
15          entity of the commission, and to specifying corporation  
16          employees as commission employees; revising membership of  
17          the corporation's executive council; specifying that the  
18          corporation is subject to certain procurement  
19          requirements; revising and expanding the duties and  
20          responsibilities of the corporation relating to budget  
21          requests; providing definitions; requiring the corporation  
22          to submit certain budgets and information to the  
23          Legislative Budget Commission; providing duties and  
24          responsibilities of the commission; deleting a requirement  
25          that clerks of court submit certain financial audit  
26          information to the Supreme Court; amending s. 28.36, F.S.;  
27          revising required budget procedures for budget requests  
28          for funding court-related functions of the clerks of

29 | court; revising duties of the corporation; deleting  
30 | provisions relating to quarterly releases of funds to  
31 | clerks by the corporation; creating s. 28.365, F.S.;  
32 | subjecting clerks of the courts to certain procurement  
33 | requirements and limitations; amending s. 28.37, F.S.;  
34 | revising requirements for distribution of fines, fees,  
35 | service charges, and court costs collected by clerks of  
36 | the court; amending s. 28.43, F.S.; conforming provisions  
37 | relating to the transfer of the Clerks of the Court Trust  
38 | Fund; amending s. 34.041, F.S.; revising requirements for  
39 | distribution of certain filing fees collected by clerks of  
40 | the court; requiring certain filing fees to be retained as  
41 | fee income of the office of the clerk of the circuit  
42 | court; amending s. 43.16, F.S.; deleting provisions  
43 | including the Florida Clerks of Court Operations  
44 | Corporation under provisions relating to the Justice  
45 | Administrative Commission; amending s. 110.205, F.S.;  
46 | deleting an exemption from career service for and  
47 | employees of the Florida Clerks of Court Operations  
48 | Corporation officers; amending s. 142.01, F.S.; conforming  
49 | provisions to the transfer of the Clerks of the Court  
50 | Trust Fund; amending s. 213.131, F.S.; specifying the  
51 | creation of the Clerks of the Court Trust Fund within the  
52 | Department of Revenue; providing for credit of certain  
53 | funds to the trust fund; amending s. 216.011, F.S.;  
54 | deleting a reference to the Florida Clerks of Court  
55 | Operations Corporation as a state agency; providing for

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56 approved budgets of the clerks of the circuit court for a  
 57 specified period; providing an effective date.

58

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

60

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

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

67 11.90 Legislative Budget Commission.—

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

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

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

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

76 (d) Review, approve, disapprove, or amend the total  
 77 combined budgets of the clerks of court or the budget of any  
 78 individual clerk of court.

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

82 Section 3. Paragraph (a) of subsection (1) of section  
 83 28.241, Florida Statutes, is amended to read:

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84 28.241 Filing fees for trial and appellate proceedings.—  
 85 (1) (a) 1.a. Except as provided in sub-subparagraph b. and  
 86 subparagraph 2., the party instituting any civil action, suit,  
 87 or proceeding in the circuit court shall pay to the clerk of  
 88 that court a filing fee of up to \$395 in all cases in which  
 89 there are not more than five defendants and an additional filing  
 90 fee of up to \$2.50 for each defendant in excess of five. Of the  
 91 first \$265 in filing fees, \$80 must be remitted by the clerk to  
 92 the Department of Revenue for deposit into the General Revenue  
 93 Fund, \$180 must be remitted to the Department of Revenue for  
 94 deposit into the State Courts Revenue Trust Fund, and \$5 ~~\$3.50~~  
 95 must be remitted to the Department of Revenue for deposit into  
 96 the Administrative Clerks of the Court Trust Fund within the  
 97 Department of Financial Services ~~Justice Administrative~~  
 98 ~~Commission~~ and used to fund the contract with the Florida Clerks  
 99 of Court Operations Corporation created in s. 28.35, ~~and \$1.50~~  
 100 ~~shall be remitted to the Department of Revenue for deposit into~~  
 101 ~~the Administrative Trust Fund within the Department of Financial~~  
 102 ~~Services to fund clerk budget reviews conducted by the~~  
 103 ~~Department of Financial Services.~~ The next \$15 of the filing fee  
 104 collected shall be deposited in the state courts' Mediation and  
 105 Arbitration Trust Fund. One third of any filing fees collected  
 106 by the clerk of the circuit court in excess of \$100 shall be  
 107 remitted to the Department of Revenue for deposit into the  
 108 department's Clerks of the Court Trust Fund ~~within the Justice~~  
 109 ~~Administrative Commission.~~  
 110 b. The party instituting any civil action, suit, or  
 111 proceeding in the circuit court under chapter 39, chapter 61,

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112 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
 113 753 shall pay to the clerk of that court a filing fee of up to  
 114 \$295 in all cases in which there are not more than five  
 115 defendants and an additional filing fee of up to \$2.50 for each  
 116 defendant in excess of five. Of the first \$165 in filing fees,  
 117 \$80 must be remitted by the clerk to the Department of Revenue  
 118 for deposit into the General Revenue Fund, \$80 must be remitted  
 119 to the Department of Revenue for deposit into the State Courts  
 120 Revenue Trust Fund, and \$5 ~~\$3.50~~ must be remitted to the  
 121 Department of Revenue for deposit into the Administrative Clerks  
 122 ~~of the Court~~ Trust Fund within the Department of Financial  
 123 Services ~~Justice Administrative Commission~~ and used to fund the  
 124 contract with the Florida Clerks of Court Operations Corporation  
 125 created in s. 28.35, ~~and \$1.50 shall be remitted to the~~  
 126 ~~Department of Revenue for deposit into the Administrative Trust~~  
 127 ~~Fund within the Department of Financial Services to fund clerk~~  
 128 ~~budget reviews conducted by the Department of Financial~~  
 129 ~~Services~~. The next \$15 of the filing fee collected shall be  
 130 deposited in the state courts' Mediation and Arbitration Trust  
 131 Fund.

132 c. An additional filing fee of \$4 shall be paid to the  
 133 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
 134 for deposit into the Court Education Trust Fund and shall remit  
 135 50 cents to the Department of Revenue for deposit into the  
 136 department's Clerks of the Court Trust Fund ~~within the Justice~~  
 137 ~~Administrative Commission~~ to fund clerk education. An additional  
 138 filing fee of up to \$18 shall be paid by the party seeking each  
 139 severance that is granted. The clerk may impose an additional

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140 filing fee of up to \$85 for all proceedings of garnishment,  
141 attachment, replevin, and distress. Postal charges incurred by  
142 the clerk of the circuit court in making service by certified or  
143 registered mail on defendants or other parties shall be paid by  
144 the party at whose instance service is made. No additional fees,  
145 charges, or costs shall be added to the filing fees imposed  
146 under this section, except as authorized in this section or by  
147 general law.

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

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

164 c. In its order providing for the final disposition of the  
165 matter, the court shall identify the actual value of the claim.  
166 The clerk shall adjust the filing fee if there is a difference  
167 between the estimated amount in controversy and the actual value

168 of the claim and collect any additional filing fee owed or  
 169 provide a refund of excess filing fee paid.

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

171 (I) Three hundred and ninety-five dollars in all cases in  
 172 which the value of the claim is \$50,000 or less and in which  
 173 there are not more than five defendants. The party shall pay an  
 174 additional filing fee of up to \$2.50 for each defendant in  
 175 excess of five. Of the first \$265 in filing fees, \$80 must be  
 176 remitted by the clerk to the Department of Revenue for deposit  
 177 into the General Revenue Fund, \$180 must be remitted to the  
 178 Department of Revenue for deposit into the State Courts Revenue  
 179 Trust Fund, and \$5 ~~\$3.50~~ must be remitted to the Department of  
 180 Revenue for deposit into the Administrative Clerks of the Court  
 181 Trust Fund within the Department of Financial Services ~~Justice~~  
 182 ~~Administrative Commission~~ and used to fund the contract with the  
 183 Florida Clerks of Court Operations Corporation created in s.  
 184 28.35, ~~and \$1.50 shall be remitted to the Department of Revenue~~  
 185 ~~for deposit into the Administrative Trust Fund within the~~  
 186 ~~Department of Financial Services to fund clerk budget reviews~~  
 187 ~~conducted by the Department of Financial Services.~~ The next \$15  
 188 of the filing fee collected shall be deposited in the state  
 189 courts' Mediation and Arbitration Trust Fund;

190 (II) Nine hundred dollars in all cases in which the value  
 191 of the claim is more than \$50,000 but less than \$250,000 and in  
 192 which there are not more than five defendants. The party shall  
 193 pay an additional filing fee of up to \$2.50 for each defendant  
 194 in excess of five. Of the first \$770 in filing fees, \$80 must be  
 195 remitted by the clerk to the Department of Revenue for deposit

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196 into the General Revenue Fund, \$685 must be remitted to the  
 197 Department of Revenue for deposit into the State Courts Revenue  
 198 Trust Fund, and \$5 ~~\$3.50~~ must be remitted to the Department of  
 199 Revenue for deposit into the Administrative Clerks of the Court  
 200 Trust Fund within the Department of Financial Services Justice  
 201 ~~Administrative Commission~~ and used to fund the contract with the  
 202 Florida Clerks of Court Operations Corporation described in s.  
 203 28.35, ~~and \$1.50 shall be remitted to the Department of Revenue~~  
 204 ~~for deposit into the Administrative Trust Fund within the~~  
 205 ~~Department of Financial Services to fund clerk budget reviews~~  
 206 ~~conducted by the Department of Financial Services.~~ The next \$15  
 207 of the filing fee collected shall be deposited in the state  
 208 courts' Mediation and Arbitration Trust Fund; or

209 (III) One thousand nine hundred dollars in all cases in  
 210 which the value of the claim is \$250,000 or more and in which  
 211 there are not more than five defendants. The party shall pay an  
 212 additional filing fee of up to \$2.50 for each defendant in  
 213 excess of five. Of the first \$1,770 in filing fees, \$80 must be  
 214 remitted by the clerk to the Department of Revenue for deposit  
 215 into the General Revenue Fund, \$1,685 must be remitted to the  
 216 Department of Revenue for deposit into the State Courts Revenue  
 217 Trust Fund, and \$5 ~~\$3.50~~ must be remitted to the Department of  
 218 Revenue for deposit into the Administrative Clerks of the Court  
 219 Trust Fund within the Department of Financial Services Justice  
 220 ~~Administrative Commission~~ to fund the contract with the Florida  
 221 Clerks of Court Operations Corporation created in s. 28.35, ~~and~~  
 222 ~~\$1.50 shall be remitted to the Department of Revenue for deposit~~  
 223 ~~into the Administrative Trust Fund within the Department of~~



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224 ~~Financial Services to fund clerk budget reviews conducted by the~~  
 225 ~~Department of Financial Services.~~ The next \$15 of the filing fee  
 226 collected shall be deposited in the state courts' Mediation and  
 227 Arbitration Trust Fund.

228 e. An additional filing fee of \$4 shall be paid to the  
 229 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
 230 for deposit into the Court Education Trust Fund and shall remit  
 231 50 cents to the Department of Revenue for deposit into the  
 232 department's Clerks of the Court Trust Fund ~~within the Justice~~  
 233 ~~Administrative Commission~~ to fund clerk education. An additional  
 234 filing fee of up to \$18 shall be paid by the party seeking each  
 235 severance that is granted. The clerk may impose an additional  
 236 filing fee of up to \$85 for all proceedings of garnishment,  
 237 attachment, replevin, and distress. Postal charges incurred by  
 238 the clerk of the circuit court in making service by certified or  
 239 registered mail on defendants or other parties shall be paid by  
 240 the party at whose instance service is made. No additional fees,  
 241 charges, or costs shall be added to the filing fees imposed  
 242 under this section, except as authorized in this section or by  
 243 general law.

244 Section 4. Section 28.2455, Florida Statutes, is amended  
 245 to read:

246 28.2455 Transfer of trust funds in excess of amount needed  
 247 for clerk budgets.—By June 20th of each year, the Florida Clerks  
 248 of Court Operations Corporation shall identify the amount of  
 249 funds in the Clerks of the Court Trust Fund in excess of the  
 250 amount needed to fund the approved clerk of court budgets for  
 251 the current state fiscal year. The Justice Administrative

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252 Commission shall transfer the amount identified by the  
 253 corporation from the Clerks of the Court Trust Fund to the  
 254 General Revenue Fund by June 25th of each year.

255 Section 5. Paragraph (b) of subsection (5) of section  
 256 28.246, Florida Statutes, is amended to read:

257 28.246 Payment of court-related fees, charges, and costs;  
 258 partial payments; distribution of funds.—

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

262 (b) That portion of fees, service charges, court costs,  
 263 and fines which are required to be retained by the clerk of the  
 264 court or deposited into the Clerks of the Court Trust Fund  
 265 within the Department of Revenue ~~Justice Administrative~~  
 266 ~~Commission~~.

267  
 268 To offset processing costs, clerks may impose either a per-month  
 269 service charge pursuant to s. 28.24(26) (b) or a one-time  
 270 administrative processing service charge at the inception of the  
 271 payment plan pursuant to s. 28.24(26) (c).

272 Section 6. Section 28.35, Florida Statutes, is amended to  
 273 read:

274 28.35 Florida Clerks of Court Operations Corporation.—

275 (1) (a) The Florida Clerks of Court Operations Corporation  
 276 is created as a public corporation organized to perform the  
 277 functions specified in this section ~~and s. 28.36 and shall be~~  
 278 ~~administratively housed within the Justice Administrative~~  
 279 ~~Commission. The corporation shall be a budget entity within the~~

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280 ~~Justice Administrative Commission, and its employees shall be~~  
281 ~~considered state employees. The corporation is not subject to~~  
282 ~~control, supervision, or direction by the Justice Administrative~~  
283 ~~Commission in the performance of its duties, but the employees~~  
284 ~~of the corporation shall be governed by the classification plan~~  
285 ~~and salary and benefits plan of the Justice Administrative~~  
286 ~~Commission. The classification plan must have a separate chapter~~  
287 ~~for the corporation.~~ All clerks of the circuit court shall be  
288 members of the corporation and hold their position and authority  
289 in an ex officio capacity. The functions assigned to the  
290 corporation shall be performed by an executive council pursuant  
291 to the plan of operation approved by the members.

292 (b) The executive council shall be composed of eight  
293 clerks of the court elected by the clerks of the courts for a  
294 term of 2 years, with two clerks from counties with a population  
295 of fewer than 100,000, two clerks from counties with a  
296 population of at least 100,000 but fewer than 500,000, two  
297 clerks from counties with a population of at least 500,000 but  
298 fewer than 1 million, and two clerks from counties with a  
299 population of more than 1 million. ~~The executive council shall~~  
300 ~~also include, as ex officio members, a designee of the President~~  
301 ~~of the Senate and a designee of the Speaker of the House of~~  
302 ~~Representatives. The Chief Justice of the Supreme Court shall~~  
303 ~~designate one additional member to represent the state courts~~  
304 ~~system.~~

305 (c) The corporation shall be considered a political  
306 subdivision of the state and shall be exempt from the corporate  
307 income tax. The corporation is ~~not~~ subject to the procurement

308 provisions of chapter 287 ~~120~~.

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

312 (2) The duties of the corporation shall include the  
 313 following:

314 (a) Adopting a plan of operation.

315 (b) Conducting the election of directors as required in  
 316 paragraph (1) (a).

317 (c) Recommending to the Legislature changes in the various  
 318 court-related fines, fees, service charges, and court costs  
 319 established by law to ensure reasonable and adequate funding of  
 320 the clerks of the court in the performance of their court-  
 321 related functions.

322 (d) Developing and certifying a uniform system of  
 323 performance measures and applicable workload performance  
 324 standards for the functions specified in paragraph (3) (a) and  
 325 ~~the service unit costs required in s. 28.36 and measures for~~  
 326 clerk workload performance in meeting the workload performance  
 327 standards. These workload performance measures and workload  
 328 performance standards shall be designed to facilitate an  
 329 objective determination of the performance of each clerk in  
 330 accordance with minimum standards for fiscal management,  
 331 operational efficiency, and effective collection of fines, fees,  
 332 service charges, and court costs. The corporation shall develop  
 333 the workload performance measures and workload performance  
 334 standards in consultation with the Legislature ~~and the Supreme~~  
 335 ~~Court. The Legislature may modify the clerk performance measures~~

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336 ~~and performance standards in legislation implementing the~~  
337 ~~General Appropriations Act or other law.~~ When the corporation  
338 finds a clerk has not met the workload performance standards,  
339 the corporation shall identify the nature of each deficiency and  
340 any corrective action recommended and taken by the affected  
341 clerk of the court. The corporation shall notify the Legislature  
342 ~~and the Supreme Court~~ of any clerk not meeting workload  
343 performance standards and provide a copy of any corrective  
344 action plans. For the purposes of this section, the term:

345 1. "Workload performance measures" means the measurement  
346 of the activities and frequency of the work required for the  
347 clerk to adequately perform the court-related duties of the  
348 office.

349 2. "Workload performance standards" means the standards  
350 developed to measure the timeliness and effectiveness of the  
351 activities that are accomplished by the clerk in the performance  
352 of the court-related duties of the office.

353 (e) Pursuant to contract with the Chief Financial Officer,  
354 establishing a process for the review of proposed court-related  
355 budgets submitted by clerks of the court for completeness and  
356 compliance with this section and ss. 28.36 and 28.37. Such  
357 process shall be designed and be of sufficient detail to permit  
358 independent verification and validation of such budgets. The  
359 contract shall specify the process to be used in determining  
360 compliance by the corporation with this section and ss. 28.36  
361 and 28.37 and shall require the corporation to determine the  
362 minimum amount of revenue necessary for each clerk of court to  
363 efficiently perform the list of court-related functions

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364 specified in paragraph (3) (a) in its budget review and approval  
365 process.

366 (f)(e) Reviewing and certifying proposed budgets submitted  
367 by clerks of the court using the process approved by the Chief  
368 Financial Officer pursuant to paragraph (e) for the purpose of  
369 making the certification in paragraph (3) (a). As part of this  
370 process, the corporation shall: pursuant to s. 28.36.

371 1. Calculate the minimum amount of revenue necessary for  
372 each clerk of court to efficiently perform the list of court-  
373 related functions specified in paragraph (3) (a).

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

378 3. Conduct an annual base budget review and an annual  
379 budget exercise examining the total budget of each clerk of  
380 court. The review shall examine revenues from all sources,  
381 expenses of court-related functions, and expenses of non-court-  
382 related functions as necessary to determine that court-related  
383 revenues are not being used for non-court-related purposes.  
384 Funds paid by a clerk to join or be a member of any group or  
385 organization shall be separately listed and the benefits  
386 received from any such group or organization described in  
387 detail. The review and exercise shall identify potential  
388 targeted budget reductions in the percentage amount provided in  
389 Schedule VIII-B of the state's prior year's legislative budget  
390 instructions, as referenced in s. 216.023(3), or an equivalent  
391 schedule or instruction as may be adopted by the Legislature.

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

395           5. Identify those clerks projected to have court-related  
 396 revenues insufficient to fund their anticipated court-related  
 397 expenditures.

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

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

402           (i) By August 1 of each year, submitting to the  
 403 Legislative Budget Commission, as provided in s. 11.90, its  
 404 proposed budget and the information described in paragraph (f),  
 405 as well as the approved budgets for each clerk of court and the  
 406 corporation. By September 15 of each year, the Legislative  
 407 Budget Commission shall consider the submitted budgets and shall  
 408 approve, disapprove, or amend the corporation's budget and shall  
 409 approve, disapprove, or amend and approve the total of the  
 410 clerks' combined budgets or any individual clerk's budget. If  
 411 the Legislative Budget Commission fails to approve or amend the  
 412 clerks' combined budgets by September 15, the clerk shall  
 413 continue to perform the court-related functions based upon the  
 414 clerk's approved budget for the preceding county fiscal year. If  
 415 the Legislative Budget Commission fails to approve or amend the  
 416 corporation's budget by September 15, the clerk shall continue  
 417 to operate based upon the corporation's approved budget for the  
 418 preceding county fiscal year.

419           (3) (a) The list of court-related functions that clerks may

420 fund from filing fees, service charges, court costs, and fines  
 421 is ~~perform~~ are limited to those functions expressly authorized  
 422 by law or court rule. Those functions include the following:  
 423 case maintenance; records management; court preparation and  
 424 attendance; processing the assignment, reopening, and  
 425 reassignment of cases; processing of appeals; collection and  
 426 distribution of fines, fees, service charges, and court costs;  
 427 processing of bond forfeiture payments; payment of jurors and  
 428 witnesses; payment of expenses for meals or lodging provided to  
 429 jurors; data collection and reporting; processing of jurors;  
 430 determinations of indigent status; and reasonable administrative  
 431 support costs to enable the clerk of the court to carry out  
 432 these court-related functions.

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

- 436 1. Those functions not specified within paragraph (a).
- 437 2. Functions assigned by administrative orders which are  
 438 not required for the clerk to perform the functions in paragraph  
 439 (a).
- 440 3. Enhanced levels of service which are not required for  
 441 the clerk to perform the functions in paragraph (a).
- 442 4. Functions identified as local requirements in law or  
 443 local optional programs.

444 (4) The corporation shall ~~prepare a legislative budget~~  
 445 ~~request for the resources necessary to perform its duties,~~  
 446 ~~submit the request pursuant to chapter 216, and be funded~~  
 447 pursuant to a contract with the Chief Financial Officer. Funds



448 shall be provided to the Chief Financial Officer for such  
 449 purpose as appropriated by general law. Such funds shall be  
 450 available to the corporation for the performance of the duties  
 451 and responsibilities as set forth in this section ~~as a budget~~  
 452 ~~entity in the General Appropriations Act.~~ The corporation may  
 453 hire staff and pay other expenses from such funds ~~state~~  
 454 ~~appropriations~~ as necessary to perform the official duties and  
 455 responsibilities of the corporation as described in this section  
 456 ~~by law.~~

457 (5) (a) The corporation shall submit an annual audited  
 458 financial statement to the Auditor General in a form and manner  
 459 prescribed by the Auditor General. The Auditor General shall  
 460 conduct an annual audit of the operations of the corporation,  
 461 including the use of funds and compliance with the provisions of  
 462 this section and ss. 28.36 and 28.37.

463 (b) Certified public accountants conducting audits of  
 464 counties pursuant to s. 218.39 shall report, as part of the  
 465 audit, whether or not the clerks of the courts have complied  
 466 with the requirements of this section and s. 28.36. ~~In addition,~~  
 467 ~~each clerk of court shall forward a copy of the portion of the~~  
 468 ~~financial audit relating to the court-related duties of the~~  
 469 ~~elrk of court to the Supreme Court.~~ The Auditor General shall  
 470 develop a compliance supplement for the audit of compliance with  
 471 the budgets and applicable workload performance standards  
 472 certified by the corporation.

473 Section 7. Section 28.36, Florida Statutes, is amended to  
 474 read:

475 28.36 Budget procedure.—There is established a budget

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476 procedure ~~for preparing budget requests for funding~~ for the  
477 court-related functions of the clerks of the court.

478 (1) Only those functions on the standard list developed  
479 pursuant to s. 28.35(3)(a) may be funded from fees, service  
480 charges, court costs, and fines retained by the clerks of the  
481 court. For the county fiscal year beginning October 1, 2011, and  
482 for each county fiscal year thereafter, each clerk of court  
483 shall prepare a budget request for court-related expenditures  
484 that the last quarter of the county fiscal year and the first  
485 three quarters of the next county fiscal year. The proposed  
486 ~~budget~~ shall be prepared, summarized, and submitted by the clerk  
487 in each county to the Florida Clerks of Court Operations  
488 Corporation in the manner and form prescribed by the corporation  
489 to meet the requirements of law. ~~Each clerk shall forward a copy~~  
490 ~~of his or her budget request to the Supreme Court.~~ The budget  
491 requests must be provided to the corporation by June ~~October~~ 1  
492 of the each year before the year of the budget.

493 (2) Each proposed budget shall also conform to the  
494 requirements of this subsection. On or before June 1 for each  
495 fiscal year thereafter, the clerk of the court in each county  
496 shall prepare, summarize, and submit a proposed budget to the  
497 Florida Clerks of Court Operations Corporation in the manner and  
498 form prescribed by the corporation. However, at a minimum, the  
499 proposed budgets shall include for each clerk the information  
500 required by s. 28.35(2)(f) and shall specify any salary  
501 increases or any bonuses anticipated to be made to employees of  
502 the office performing court-related duties. The proposed budget  
503 must provide detailed information on the anticipated revenues

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504 available and expenditures necessary for the performance of the  
505 standard list of court-related functions of the clerk's office  
506 developed pursuant to s. 28.35(3)(a) for the county fiscal year  
507 beginning the following October 1. The Florida Clerks of Court  
508 Operations Corporation shall also prepare its proposed budget by  
509 July 1 of each year ~~elrk shall include in his or her budget~~  
510 ~~request a projection of the amount of court-related fees,~~  
511 ~~service charges, and any other court-related clerk fees which~~  
512 ~~will be collected during the proposed budget period. If the~~  
513 ~~corporation determines that the proposed budget is limited to~~  
514 ~~the standard list of court-related functions in s. 28.35(3)(a)~~  
515 ~~and the projected court-related revenues are less than the~~  
516 ~~proposed budget, the clerk shall increase all fees, service~~  
517 ~~charges, and any other court-related clerk fees and charges to~~  
518 ~~the maximum amounts specified by law or the amount necessary to~~  
519 ~~resolve the deficit, whichever is less.~~

520 (3) Each proposed budget must be balanced, such that the  
521 total of the estimated revenues available must equal or exceed  
522 the total of the anticipated expenditures. Such revenues include  
523 cash balances brought forward from the prior fiscal period;  
524 revenue projected to be received from fees, service charges,  
525 court costs, and fines for court-related functions during the  
526 fiscal period covered by the budget; and supplemental revenue  
527 that may be requested pursuant to subsection (4). The  
528 anticipated expenditures must be itemized as required by the  
529 corporation, pursuant to contract with the Chief Financial  
530 Officer ~~elrk shall include in his or her budget request the~~  
531 ~~number of personnel and the proposed budget for each of the~~

532 ~~following core services:~~

533 ~~(a) Circuit criminal.~~

534 ~~(b) County criminal.~~

535 ~~(c) Juvenile delinquency.~~

536 ~~(d) Criminal traffic.~~

537 ~~(e) Circuit civil.~~

538 ~~(f) County civil.~~

539 ~~(g) Civil traffic.~~

540 ~~(h) Probate.~~

541 ~~(i) Family.~~

542 ~~(j) Juvenile dependency.~~

543

544 ~~Central administrative costs shall be allocated among the core-~~  
 545 ~~services categories.~~

546 (4) If a clerk of the court estimates that available funds  
 547 plus projected revenues from fines, fees, service charges, and  
 548 costs for court-related services are insufficient to meet the  
 549 anticipated expenditures for the standard list of court-related  
 550 functions in s. 28.35(3) (a) performed by his or her office, the  
 551 clerk must report the revenue deficit to the corporation in the  
 552 manner and form prescribed by the corporation pursuant to  
 553 contract with the Chief Financial Officer. The corporation shall  
 554 verify that the proposed budget is limited to the standard list  
 555 of court-related functions in s. 28.35(3) (a) and that any  
 556 reported deficit funding is necessary for the clerk to  
 557 adequately perform the court-related duties based on workload.

558 (a) If the corporation verifies that the proposed budget  
 559 is limited to the standard list of court-related functions in s.

560 28.35(3) (a) and a revenue deficit is projected, a clerk seeking  
 561 to retain revenues pursuant to this subsection shall increase  
 562 all fees, service charges, and any other court-related clerk  
 563 fees and charges to the maximum amounts specified by law or the  
 564 amount necessary to resolve the deficit, whichever is less. If,  
 565 after increasing fees, service charges, and any other court-  
 566 related clerk fees and charges to the maximum amounts specified  
 567 by law, a revenue deficit is still projected, the corporation  
 568 shall, pursuant to the terms of the contract with the Chief  
 569 Financial Officer, certify a revenue deficit and notify the  
 570 Department of Revenue that the clerk is authorized to retain  
 571 revenues, in an amount necessary to fully fund the projected  
 572 revenue deficit, which he or she would otherwise be required to  
 573 remit to the Department of Revenue for deposit into the  
 574 department's Clerks of the Court Trust Fund pursuant to s.  
 575 28.37. If a revenue deficit is projected for that clerk after  
 576 retaining all of the projected collections from the court-  
 577 related fines, fees, service charges, and costs, the Department  
 578 of Revenue shall certify the amount of the revenue deficit  
 579 amount to the Executive Office of the Governor and request  
 580 release authority for funds appropriated for this purpose from  
 581 the department's Clerks of the Court Trust Fund. Notwithstanding  
 582 the provisions of s. 216.192 relating to the release of funds,  
 583 the Executive Office of the Governor may approve the release of  
 584 funds appropriated to resolve projected revenue deficits in  
 585 accordance with the notice, review, and objection procedures set  
 586 forth in s. 216.177 and shall provide notice to the Chief  
 587 Financial Officer. The Department of Revenue shall request

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588 monthly distributions from the Chief Financial Officer in equal  
589 amounts to each clerk certified to have a revenue deficit, in  
590 accordance with the releases approved by the Governor.

591 (b) If the Chief Financial Officer finds the court-related  
592 budget proposed by a clerk includes functions not included in  
593 the standard list of court-related functions in s. 28.35(3)(a),  
594 the Chief Financial Officer shall notify the clerk of the amount  
595 of the proposed budget not eligible to be funded from fines,  
596 fees, service charges, and costs for court-related functions and  
597 shall identify appropriate corrective measures to ensure budget  
598 integrity. The clerk shall immediately discontinue all  
599 ineligible expenditures of court-related funds for non-court-  
600 related functions and reimburse the Clerks of the Court Trust  
601 Fund for any previously ineligible expenditures made for non-  
602 court-related functions, and shall implement any corrective  
603 actions identified by the Chief Financial Officer.

604 ~~(4) The budget request must identify the service units to~~  
605 ~~be provided within each core service. The service units shall be~~  
606 ~~developed by the corporation, in consultation with the Supreme~~  
607 ~~Court, the Chief Financial Officer, and the appropriations~~  
608 ~~committees of the Senate and the House of Representatives.~~

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

612 ~~(6) The corporation shall review each individual clerk's~~  
613 ~~prior-year expenditures, projected revenue, proposed unit costs,~~  
614 ~~and the proposed budget for each of the core services~~  
615 ~~categories. The corporation shall compare each clerk's prior-~~

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616 ~~year expenditures and unit costs for core services with a peer~~  
617 ~~group of clerks' offices having a population of a similar size~~  
618 ~~and a similar number of case filings. If the corporation finds~~  
619 ~~that the expenditures, unit costs, or proposed budget of a clerk~~  
620 ~~is significantly higher than those of clerks in that clerk's~~  
621 ~~peer group, the corporation shall require the clerk to submit~~  
622 ~~documentation justifying the difference in each core services~~  
623 ~~category. Justification for higher expenditures may include, but~~  
624 ~~is not limited to, collective bargaining agreements, county~~  
625 ~~civil service agreements, and the number and distribution of~~  
626 ~~courthouses served by the clerk. If the expenditures and unit~~  
627 ~~costs are not justified, the corporation shall recommend a~~  
628 ~~reduction in the funding for that core services category in the~~  
629 ~~budget request to an amount similar to the peer group of clerks~~  
630 ~~or to an amount that the corporation determines is justified.~~

631 ~~(7) The corporation shall complete its review and~~  
632 ~~adjustments to the clerks' budget requests and make its~~  
633 ~~recommendations to the Legislature and the Supreme Court by~~  
634 ~~December 1 each year.~~

635 ~~(8) The Chief Financial Officer shall review the proposed~~  
636 ~~unit costs associated with each clerk of court's budget request~~  
637 ~~and make recommendations to the Legislature. The Chief Financial~~  
638 ~~Officer may conduct any audit of the corporation or a clerk of~~  
639 ~~court as authorized by law. The Chief Justice of the Supreme~~  
640 ~~Court may request an audit of the corporation or any clerk of~~  
641 ~~court by the Chief Financial Officer.~~

642 ~~(9) The Legislature shall appropriate the total amount for~~  
643 ~~the budgets of the clerks in the General Appropriations Act. The~~

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644 ~~Legislature may reject or modify any or all of the unit costs~~  
645 ~~recommended by the corporation. If the Legislature does not~~  
646 ~~specify the unit costs in the General Appropriations Act or~~  
647 ~~other law, the unit costs recommended by the corporation shall~~  
648 ~~be the official unit costs for that budget period.~~

649 ~~(10)(a) Beginning in the 2010-2011 fiscal year, the~~  
650 ~~corporation shall release appropriations to each clerk~~  
651 ~~quarterly. If funds in the Clerks of Court Trust Fund are~~  
652 ~~insufficient to provide a release in a quarter in a single~~  
653 ~~release, the corporation may release partial amounts for that~~  
654 ~~quarter so long as the total of those partial amounts does not~~  
655 ~~exceed that quarter's release. If funds in the Clerks of Court~~  
656 ~~Trust Fund are insufficient for the first quarter release, the~~  
657 ~~corporation may make a request to the Governor for a trust fund~~  
658 ~~loan pursuant to chapter 215. The amount of the first three~~  
659 ~~releases shall be based on one quarter of the estimated budget~~  
660 ~~for each clerk as identified in the General Appropriations Act.~~

661 ~~(b) The corporation shall estimate the fourth quarter's~~  
662 ~~number of units to be performed by each clerk. The amount of the~~  
663 ~~fourth-quarter release shall be based on the approved unit cost~~  
664 ~~times the estimated number of units of the fourth quarter with~~  
665 ~~the following adjustment: the fourth-quarter release shall be~~  
666 ~~adjusted based on the first three quarter's actual number of~~  
667 ~~service units provided as reported to the corporation by each~~  
668 ~~clerk. If the clerk has performed fewer service units in the~~  
669 ~~first three quarters of the year compared to three quarters of~~  
670 ~~the estimated number of service units in the General~~  
671 ~~Appropriations Act, the corporation shall decrease the fourth-~~



672 ~~quarter release. The amount of the decrease shall equal the~~  
 673 ~~amount of the difference between the estimated number of service~~  
 674 ~~units for the first three quarters and the actual number of~~  
 675 ~~service units provided in the first three quarters times the~~  
 676 ~~approved unit cost.~~

677 ~~(c) No adjustment for the fourth quarter release shall be~~  
 678 ~~made if the clerk has performed more units than the estimate for~~  
 679 ~~the first three quarters.~~

680 ~~(d) If the clerk performs fewer units in the fourth~~  
 681 ~~quarter than estimated by the corporation, the corporation shall~~  
 682 ~~decrease the first-quarter release for the clerk in the next~~  
 683 ~~fiscal year by the amount of the difference between the~~  
 684 ~~estimated number of service units for the fourth quarter and the~~  
 685 ~~actual number of service units performed in that quarter times~~  
 686 ~~the approved unit cost.~~

687 ~~(e) The total of all releases to the clerks of court may~~  
 688 ~~not exceed the amount appropriated in the General Appropriations~~  
 689 ~~Act. If, during the year, the corporation determines that the~~  
 690 ~~projected releases of appropriations for service units will~~  
 691 ~~exceed the estimate used in the General Appropriations Act and~~  
 692 ~~result in statewide expenditures greater than the amount~~  
 693 ~~appropriated by law, the corporation shall reduce all service~~  
 694 ~~unit costs of all clerks by the amount necessary to ensure that~~  
 695 ~~service units are funded within the total amount appropriated to~~  
 696 ~~the clerks of court. If such action is necessary, the~~  
 697 ~~corporation shall notify the Legislative Budget Commission. If~~  
 698 ~~the Legislative Budget Commission objects to the adjustments,~~  
 699 ~~the Legislative Budget Commission shall adjust all service unit~~

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700 ~~costs by the amount necessary to ensure that projected units of~~  
 701 ~~service are funded within the total amount appropriated to the~~  
 702 ~~clerks of court at its next scheduled meeting.~~

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

707 Section 8. Section 28.365, Florida Statutes, is created to  
 708 read:

709 28.365 Procurement.—The clerks of court are subject to the  
 710 procurement requirements and limitations of chapter 287 for  
 711 expenditures made pursuant to the budget provided for in ss.  
 712 28.35 and 28.36.

713 Section 9. Section 28.37, Florida Statutes, is amended to  
 714 read:

715 28.37 Fines, fees, service charges, and costs remitted to  
 716 the state.—

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

723 (2) Beginning July 1, 2011, except as otherwise provided  
 724 in ss. 28.241 and 34.041, one-third of all fines, fees, service  
 725 charges, and court costs collected by the clerks of the court  
 726 during the prior month for the performance of court-related  
 727 functions shall be remitted to the Department of Revenue for

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

738 (3) Beginning January 1, 2012, and each January 1  
 739 thereafter for the preceding county fiscal year of October 1  
 740 through September 30, the clerk of the court shall remit to the  
 741 Department of Revenue for deposit in the General Revenue Fund  
 742 the cumulative excess of all fines, fees, service charges, and  
 743 court costs retained by the clerks of the court, plus any funds  
 744 received by the clerks of the court from the department's Clerks  
 745 of the Court Trust Fund under s. 28.36(4)(a), that exceed the  
 746 amount needed to meet the approved budget amounts established  
 747 under s. 28.36.

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

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

761 Section 10. Subsection (1) of section 28.43, Florida  
762 Statutes, is amended to read:

763 28.43 Adoption of rules relating to ss. 28.35, 28.36, and  
764 28.37.—

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

771 Section 11. Paragraph (b) of subsection (1) of section  
772 34.041, Florida Statutes, is amended to read:

773 34.041 Filing fees.—

774 (1)

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

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

803 Section 12. Subsection (5) of section 43.16, Florida  
 804 Statutes, is amended to read:

805 43.16 Justice Administrative Commission; membership,  
 806 powers and duties.—

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

809 (a) The maintenance of a central state office for  
 810 administrative services and assistance when possible to and on  
 811 behalf of the state attorneys and public defenders of Florida,

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812 the capital collateral regional counsel of Florida, the criminal  
 813 conflict and civil regional counsel, and the Guardian Ad Litem  
 814 Program, ~~and the Florida Clerks of Court Operations Corporation.~~

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

830 Section 13. Paragraph (x) of subsection (2) of section  
 831 110.205, Florida Statutes, is amended to read:

832 110.205 Career service; exemptions.—

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

835 (x) All officers and employees of the Justice  
 836 Administrative Commission, Office of the State Attorney, Office  
 837 of the Public Defender, regional offices of capital collateral  
 838 counsel, offices of criminal conflict and civil regional  
 839 counsel, and Statewide Guardian Ad Litem Office, including the

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840 circuit guardian ad litem programs and the Florida Clerks of  
 841 Court Operations Corporation.

842 Section 14. Subsections (2) and (3) of section 142.01,  
 843 Florida Statutes, are amended to read:

844 142.01 Fine and forfeiture fund; disposition of revenue;  
 845 clerk of the circuit court.-

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

852 (2)~~(3)~~ Notwithstanding the provisions of this section, all  
 853 fines and forfeitures arising from operation of the provisions  
 854 of s. 318.1215 shall be disbursed in accordance with that  
 855 section.

856 Section 15. Section 213.131, Florida Statutes, is amended  
 857 to read:

858 213.131 Clerks of the Court Trust Fund within the  
 859 Department of Revenue Justice Administrative Commission.-The  
 860 Clerks of the Court Trust Fund is created within the Department  
 861 of Revenue Justice Administrative Commission. Funds received by  
 862 the department from the clerks of court shall be credited to the  
 863 trust fund as provided in chapter 2001-122, Laws of Florida, to  
 864 be used for the purposes set forth in that act.

865 Section 16. Paragraph (qq) of subsection (1) of section  
 866 216.011, Florida Statutes, is amended to read:

867 216.011 Definitions.-

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

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

883 Section 17. For the period of July 1, 2011, through  
 884 September 30, 2011, the approved budget for the clerks of the  
 885 circuit court shall be \$112,845,078. The Clerks of Court  
 886 Operations Corporation shall determine budget amounts for the  
 887 individual clerks.

888 Section 18. This act shall take effect July 1, 2011.