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20 Temporary Assistance for Needy Families-Cash Assistance,
21 poverty-related veterans' benefits, or Supplemental Security
22 Income (SSI).

23 2.a. There is a presumption that the applicant is not
24 indigent if the applicant owns, or has equity in, any intangible
25 or tangible personal property or real property or the expectancy
26 of an interest in any such property having a net equity value of
27 \$2,500 or more, excluding the value of the person's homestead
28 and one vehicle having a net value not exceeding \$5,000.

29 b. Notwithstanding the information that the applicant
30 provides, the clerk may ~~shall~~ conduct a review of the property
31 records for the county in which the applicant resides and the
32 motor vehicle title records of the state to identify any
33 property interests of the applicant under this subparagraph. The
34 clerk may ~~shall~~ evaluate and consider the results of the review
35 in making a determination under this subsection. If the review
36 is completed by the clerk, the clerk shall maintain the results
37 of the review in a file with the application and provide the
38 file to the court if the applicant seeks review under subsection
39 (4) of the clerk's determination of indigent status.

40 Section 2. Paragraph (e) of subsection (12) of section
41 28.24, Florida Statutes, is amended to read:

42 28.24 Service charges by clerk of the circuit court.—The
43 clerk of the circuit court shall charge for services rendered by
44 the clerk's office in recording documents and instruments and in
45 performing the duties enumerated in amounts not to exceed those
46 specified in this section. Notwithstanding any other provision
47 of this section, the clerk of the circuit court shall provide

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48 without charge to the state attorney, public defender, guardian
49 ad litem, public guardian, attorney ad litem, criminal conflict
50 and civil regional counsel, and private court-appointed counsel
51 paid by the state, and to the authorized staff acting on behalf
52 of each, access to and a copy of any public record, if the
53 requesting party is entitled by law to view the exempt or
54 confidential record, as maintained by and in the custody of the
55 clerk of the circuit court as provided in general law and the
56 Florida Rules of Judicial Administration. The clerk of the
57 circuit court may provide the requested public record in an
58 electronic format in lieu of a paper format when capable of
59 being accessed by the requesting entity.

60
61 Charges

62
63 (12) For recording, indexing, and filing any instrument
64 not more than 14 inches by 8 1/2 inches, including required
65 notice to property appraiser where applicable:

66 (e) An additional service charge of \$4 per page shall be
67 paid to the clerk of the circuit court for each instrument
68 listed in s. 28.222, except judgments received from the courts
69 and notices of lis pendens, recorded in the official records.
70 From the additional \$4 service charge collected:

71 1. If the counties maintain legal responsibility for the
72 costs of the court-related technology needs as defined in s.
73 29.008(1)(f)2. and (h), 10 cents shall be distributed to the
74 Florida Association of Court Clerks and Comptroller, Inc., for
75 the cost of development, implementation, operation, and

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76 maintenance of the clerks' Comprehensive Case Information
77 System, ~~in which system all clerks shall participate on or~~
78 ~~before January 1, 2006;~~ \$1.90 shall be retained by the clerk to
79 be deposited in the Public Records Modernization Trust Fund and
80 used exclusively for funding court-related technology needs of
81 the clerk as defined in s. 29.008(1)(f)2. and (h); and \$2 shall
82 be distributed to the board of county commissioners to be used
83 exclusively to fund court-related technology, and court
84 technology needs as defined in s. 29.008(1)(f)2. and (h) for the
85 state trial courts, state attorney, public defender, and
86 criminal conflict and civil regional counsel in that county. If
87 the counties maintain legal responsibility for the costs of the
88 court-related technology needs as defined in s. 29.008(1)(f)2.
89 and (h), notwithstanding any other provision of law, the county
90 is not required to provide additional funding beyond that
91 provided herein for the court-related technology needs of the
92 clerk as defined in s. 29.008(1)(f)2. and (h). All court records
93 and official records are the property of the State of Florida,
94 including any records generated as part of the Comprehensive
95 Case Information System funded pursuant to this paragraph and
96 the clerk of court is designated as the custodian of such
97 records, except in a county where the duty of maintaining
98 official records exists in a county office other than the clerk
99 of court or comptroller, such county office is designated the
100 custodian of all official records, and the clerk of court is
101 designated the custodian of all court records. The clerk of
102 court or any entity acting on behalf of the clerk of court,
103 including an association, shall not charge a fee to any agency

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104 as defined in s. 119.011, the Legislature, or the State Court
105 System for copies of records generated by the Comprehensive Case
106 Information System or held by the clerk of court or any entity
107 acting on behalf of the clerk of court, including an
108 association.

109 2. If the state becomes legally responsible for the costs
110 of court-related technology needs as defined in s.
111 29.008(1)(f)2. and (h), whether by operation of general law or
112 by court order, \$4 shall be remitted to the Department of
113 Revenue for deposit into the General Revenue Fund.

114 Section 3. Section 28.2405, Florida Statutes, is created
115 to read:

116 28.2405 Comprehensive Case Information System.—All clerks
117 of the circuit court shall participate in the Comprehensive Case
118 Information System of the Florida Association of Clerks and
119 Comptroller, Inc., and shall submit electronic case data to the
120 system based on the case types designated by the Supreme Court.

121 Section 4. Subsection (1) of section 28.241, Florida
122 Statutes, is amended to read:

123 28.241 Filing fees for trial and appellate proceedings.—

124 (1) Filing fees are due at the time a party files a
125 pleading to initiate a proceeding or files a pleading for
126 relief. Reopen fees are due at the time a party files a pleading
127 to reopen a proceeding if at least 90 days have elapsed since
128 the filing of a final order or final judgment with the clerk. If
129 a fee is not paid upon the filing of the pleading as required
130 under this section, the clerk shall pursue collection of the fee
131 pursuant to s. 28.246.

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132 (a)1.a. Except as provided in sub-subparagraph b. and
133 subparagraph 2., the party instituting any civil action, suit,
134 or proceeding in the circuit court shall pay to the clerk of
135 that court a filing fee of up to \$395 in all cases in which
136 there are not more than five defendants and an additional filing
137 fee of up to \$2.50 for each defendant in excess of five. Of the
138 first \$280 in filing fees, \$80 must be remitted by the clerk to
139 the Department of Revenue for deposit into the General Revenue
140 Fund, \$195 must be remitted to the Department of Revenue for
141 deposit into the State Courts Revenue Trust Fund, \$3.50 must be
142 remitted to the Department of Revenue for deposit into the
143 Clerks of the Court Trust Fund within the Justice Administrative
144 Commission and used to fund the Florida Clerks of Court
145 Operations Corporation created in s. 28.35, and \$1.50 shall be
146 remitted to the Department of Revenue for deposit into the
147 Administrative Trust Fund within the Department of Financial
148 Services to fund clerk budget reviews conducted by the
149 Department of Financial Services. One third of any filing fees
150 collected by the clerk of the circuit court in excess of \$100
151 shall be remitted to the Department of Revenue for deposit into
152 the Clerks of the Court Trust Fund within the Justice
153 Administrative Commission.

154 b. The party instituting any civil action, suit, or
155 proceeding in the circuit court under chapter 39, chapter 61,
156 chapter 741, chapter 742, chapter 747, chapter 752, or chapter
157 753 shall pay to the clerk of that court a filing fee of up to
158 \$295 in all cases in which there are not more than five
159 defendants and an additional filing fee of up to \$2.50 for each

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160 defendant in excess of five. Of the first \$180 in filing fees,
161 \$80 must be remitted by the clerk to the Department of Revenue
162 for deposit into the General Revenue Fund, \$95 must be remitted
163 to the Department of Revenue for deposit into the State Courts
164 Revenue Trust Fund, \$3.50 must be remitted to the Department of
165 Revenue for deposit into the Clerks of the Court Trust Fund
166 within the Justice Administrative Commission and used to fund
167 the Florida Clerks of Court Operations Corporation created in s.
168 28.35, and \$1.50 shall be remitted to the Department of Revenue
169 for deposit into the Administrative Trust Fund within the
170 Department of Financial Services to fund clerk budget reviews
171 conducted by the Department of Financial Services.

172 c. An additional filing fee of \$4 shall be paid to the
173 clerk. The clerk shall remit \$3.50 to the Department of Revenue
174 for deposit into the Court Education Trust Fund and shall remit
175 50 cents to the Department of Revenue for deposit into the
176 Clerks of the Court Trust Fund within the Justice Administrative
177 Commission to fund clerk education. An additional filing fee of
178 up to \$18 shall be paid by the party seeking each severance that
179 is granted. The clerk may impose an additional filing fee of up
180 to \$85 for all proceedings of garnishment, attachment, replevin,
181 and distress. Postal charges incurred by the clerk of the
182 circuit court in making service by certified or registered mail
183 on defendants or other parties shall be paid by the party at
184 whose instance service is made. ~~No~~ Additional fees, charges, or
185 costs may not ~~shall~~ be added to the filing fees imposed under
186 this section, except as authorized in this section or by general
187 law.

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

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

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

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

211 (I) Three hundred and ninety-five dollars in all cases in
212 which the value of the claim is \$50,000 or less and in which
213 there are not more than five defendants. The party shall pay an
214 additional filing fee of up to \$2.50 for each defendant in
215 excess of five. Of the first \$280 in filing fees, \$80 must be

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216 remitted by the clerk to the Department of Revenue for deposit
217 into the General Revenue Fund, \$195 must be remitted to the
218 Department of Revenue for deposit into the State Courts Revenue
219 Trust Fund, \$3.50 must be remitted to the Department of Revenue
220 for deposit into the Clerks of the Court Trust Fund within the
221 Justice Administrative Commission and used to fund the Florida
222 Clerks of Court Operations Corporation created in s. 28.35, and
223 \$1.50 shall be remitted to the Department of Revenue for deposit
224 into the Administrative Trust Fund within the Department of
225 Financial Services to fund clerk budget reviews conducted by the
226 Department of Financial Services;

227 (II) Nine hundred dollars in all cases in which the value
228 of the claim is more than \$50,000 but less than \$250,000 and in
229 which there are not more than five defendants. The party shall
230 pay an additional filing fee of up to \$2.50 for each defendant
231 in excess of five. Of the first \$785 in filing fees, \$80 must be
232 remitted by the clerk to the Department of Revenue for deposit
233 into the General Revenue Fund, \$700 must be remitted to the
234 Department of Revenue for deposit into the State Courts Revenue
235 Trust Fund, \$3.50 must be remitted to the Department of Revenue
236 for deposit into the Clerks of the Court Trust Fund within the
237 Justice Administrative Commission and used to fund the Florida
238 Clerks of Court Operations Corporation described in s. 28.35,
239 and \$1.50 shall be remitted to the Department of Revenue for
240 deposit into the Administrative Trust Fund within the Department
241 of Financial Services to fund clerk budget reviews conducted by
242 the Department of Financial Services; or

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243 (III) One thousand nine hundred dollars in all cases in
244 which the value of the claim is \$250,000 or more and in which
245 there are not more than five defendants. The party shall pay an
246 additional filing fee of up to \$2.50 for each defendant in
247 excess of five. Of the first \$1,785 in filing fees, \$80 must be
248 remitted by the clerk to the Department of Revenue for deposit
249 into the General Revenue Fund, \$1,700 must be remitted to the
250 Department of Revenue for deposit into the State Courts Revenue
251 Trust Fund, \$3.50 must be remitted to the Department of Revenue
252 for deposit into the Clerks of the Court Trust Fund within the
253 Justice Administrative Commission to fund the Florida Clerks of
254 Court Operations Corporation created in s. 28.35, and \$1.50
255 shall be remitted to the Department of Revenue for deposit into
256 the Administrative Trust Fund within the Department of Financial
257 Services to fund clerk budget reviews conducted by the
258 Department of Financial Services.

259 e. An additional filing fee of \$4 shall be paid to the
260 clerk. The clerk shall remit \$3.50 to the Department of Revenue
261 for deposit into the Court Education Trust Fund and shall remit
262 50 cents to the Department of Revenue for deposit into the
263 Clerks of the Court Trust Fund within the Justice Administrative
264 Commission to fund clerk education. An additional filing fee of
265 up to \$18 shall be paid by the party seeking each severance that
266 is granted. The clerk may impose an additional filing fee of up
267 to \$85 for all proceedings of garnishment, attachment, replevin,
268 and distress. Postal charges incurred by the clerk of the
269 circuit court in making service by certified or registered mail
270 on defendants or other parties shall be paid by the party at

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271 whose instance service is made. ~~No~~ Additional fees, charges, or
272 costs may not ~~shall~~ be added to the filing fees imposed under
273 this section, except as authorized in this section or by general
274 law.

275 (b) A party reopening any civil action, suit, or
276 proceeding in the circuit court shall pay to the clerk of court
277 a filing fee set by the clerk in an amount not to exceed \$50.
278 For purposes of this section, a case is reopened after all
279 appeals have been exhausted or time to file an appeal from a
280 final order or final judgment has expired. A reopen fee may be
281 assessed by the clerk for any motion filed by any party at least
282 90 days after a final order or final judgment has been filed
283 with the clerk in the initial case. A reservation of
284 jurisdiction by a court does not cause a case to remain open for
285 purposes of this section or exempt a party from paying a reopen
286 fee when a case previously reported as disposed of is
287 resubmitted to a court and includes petitions for modification
288 of a final judgment of dissolution. A party is exempt from
289 paying the fee for any of the following:

- 290 1. A writ of garnishment;
- 291 2. A writ of replevin;
- 292 3. A distress writ;
- 293 4. A writ of attachment;
- 294 5. A motion for rehearing filed within 10 days;
- 295 6. A motion for attorney's fees filed within 30 days after
296 entry of a judgment or final order;
- 297 7. A motion for dismissal filed after a mediation
298 agreement has been filed;

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- 299 8. A disposition of personal property without
300 administration;
- 301 9. Any probate case prior to the discharge of a personal
302 representative;
- 303 10. Any guardianship pleading prior to discharge;
- 304 11. Any mental health pleading;
- 305 12. Motions to withdraw by attorneys;
- 306 13. Motions exclusively for the enforcement of child
307 support orders;
- 308 14. A petition for credit of child support;
- 309 15. A Notice of Intent to Relocate and any order issuing
310 as a result of an uncontested relocation;
- 311 16. Stipulations and motions to enforce stipulations;
- 312 17. Responsive pleadings; ~~or~~
- 313 18. Cases in which there is no initial filing fee; or
- 314 19. Motions for contempt.
- 315 (c)1. A party in addition to a party described in sub-
316 subparagraph (a)1.a. who files a pleading in an original civil
317 action in circuit court for affirmative relief by cross-claim,
318 counterclaim, counterpetition, or third-party complaint shall
319 pay the clerk of court a fee of \$395. A party in addition to a
320 party described in sub-subparagraph (a)1.b. who files a pleading
321 in an original civil action in circuit court for affirmative
322 relief by cross-claim, counterclaim, counterpetition, or third-
323 party complaint shall pay the clerk of court a fee of \$295. The
324 clerk shall remit the fee to the Department of Revenue for
325 deposit into the General Revenue Fund.

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

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

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

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

337
338 The clerk shall remit the fees collected under this subparagraph
339 to the Department of Revenue for deposit into the General
340 Revenue Fund, except that the clerk shall remit \$100 of the fee
341 collected under sub-subparagraph a., \$605 of the fee collected
342 under sub-subparagraph b., and \$1,605 of the fee collected under
343 sub-subparagraph c. to the Department of Revenue for deposit
344 into the State Courts Revenue Trust Fund.

345 (d) The clerk of court shall collect a service charge of
346 \$10 for issuing an original, a certified copy, or an electronic
347 certified copy of a summons. The clerk shall assess the fee
348 against the party seeking to have the summons issued.

349 Section 5. Subsection (2) of section 28.37, Florida
350 Statutes, is amended to read:

351 28.37 Fines, fees, service charges, and costs remitted to
352 the state.—

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353 (2) Except as otherwise provided in ss. 28.241 and 34.041,
354 all court-related fines, fees, service charges, and costs are
355 considered state funds and shall be remitted by the clerk to the
356 Department of Revenue for deposit into the Clerks of the Court
357 Trust Fund within the Justice Administrative Commission.
358 However, 10 percent of all court-related fines collected by the
359 clerk, except for penalties or fines distributed to counties or
360 municipalities under s. 316.0083(1)(b)3. or s. 318.18(15)(a),
361 shall be deposited into the clerk's Public Records Modernization
362 Trust Fund to be used exclusively for additional clerk court-
363 related operational needs and program enhancements.

364 Section 6. Paragraphs (a) and (d) of subsection (1) and
365 subsection (2) of section 34.041, Florida Statutes, are amended
366 to read:

367 34.041 Filing fees.—

368 (1)(a) Filing fees are due at the time a party files a
369 pleading to initiate a proceeding or files a pleading for
370 relief. Reopen fees are due at the time a party files a pleading
371 to reopen a proceeding if at least 90 days have elapsed since
372 the filing of a final order or final judgment with the clerk. If
373 a fee is not paid upon the filing of the pleading as required
374 under this section, the clerk shall pursue collection of the fee
375 pursuant to s. 28.246. Upon the institution of any civil action,
376 suit, or proceeding in county court, the party shall pay the
377 following filing fee, not to exceed:

378 1. For all claims less than \$100 \$50.

379 2. For all claims of \$100 or more but not more than \$500
380 \$75.

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381 3. For all claims of more than \$500 but not more than
382 \$2,500 \$170.

383 4. For all claims of more than \$2,500 \$295.

384 5. In addition, for all proceedings of garnishment,
385 attachment, replevin, and distress \$85.

386 6. Notwithstanding subparagraphs 3. and 5., for all claims
387 of not more than \$1,000 filed simultaneously with an action for
388 replevin of property that is the subject of the claim \$125.

389 7. For removal of tenant action \$180.

390

391 The filing fee in subparagraph 6. is the total fee due under
392 this paragraph for that type of filing, and no other filing fee
393 under this paragraph may be assessed against such a filing.

394 (d) The clerk of court shall collect a service charge of
395 \$10 for issuing a summons or an electronic certified copy of a
396 summons. The clerk shall assess the fee against the party
397 seeking to have the summons issued.

398 (2) A party reopening any civil action, suit, or
399 proceeding in the county court shall pay to the clerk of court a
400 filing fee set by the clerk in an amount not to exceed \$25 for
401 all claims of not more than \$500 and an amount not to exceed \$50
402 for all claims of more than \$500. For purposes of this section,
403 a case is reopened after all appeals have been exhausted, or
404 time to file an appeal from a final order or final judgment has
405 expired. A reopen fee may be assessed by the clerk for any
406 motion filed by any party at least 90 days after a final order
407 or final judgment has been filed with the clerk in the initial
408 case. A reservation of jurisdiction by a court does not cause a

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409 case to remain open for purposes of this section or exempt a
410 party from paying a reopen fee ~~when a case previously reported~~
411 ~~as disposed of is resubmitted to a court.~~ A party is exempt from
412 paying the fee for any of the following:

- 413 (a) A writ of garnishment;
- 414 (b) A writ of replevin;
- 415 (c) A distress writ;
- 416 (d) A writ of attachment;
- 417 (e) A motion for rehearing filed within 10 days;
- 418 (f) A motion for attorney's fees filed within 30 days of
419 the entry of the judgment or final order;
- 420 (g) A motion for dismissal filed after a mediation
421 agreement has been filed;
- 422 (h) A motion to withdraw by attorneys;
- 423 (i) Stipulations and motions to enforce stipulations; ~~or~~
- 424 (j) Responsive pleadings; or
- 425 (k) Motions for contempt.

426 Section 7. Section 40.011, Florida Statutes, is amended to
427 read:

428 40.011 Jury lists.—

429 (1) A clerk of the court shall generate a set of juror
430 candidate lists derived from the source lists described in s.
431 40.01. The source name lists and the juror candidate lists shall
432 be maintained as specified in this chapter and in accordance
433 with the juror selection plan approved in s. 40.225.

434 (2) ~~(1)~~ Pursuant to s. 40.01, the Department of Highway
435 Safety and Motor Vehicles shall deliver quarterly to the clerk
436 of the circuit court in each county a list of names of persons

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437 | who reside in that county, who are citizens of the United
438 | States, who are legal residents of Florida, who are 18 years of
439 | age or older, and for whom the department has a driver's license
440 | or identification card record.

441 | (3) The clerk of the circuit court shall add to the list
442 | of licensed drivers and identification cardholders the name of
443 | any person who is 18 years of age or older and who is a citizen
444 | of the United States and a legal resident of this state ~~Florida~~
445 | and who indicates a desire to serve as a juror, but whose name
446 | does not appear on the department list, by requiring such person
447 | to execute an affidavit at the office of the clerk.

448 | (4)~~(2)~~ The affidavit executed pursuant to subsection (3)
449 | ~~(1)~~ must be in substantially the following form:

450 |
451 | State of Florida

452 |
453 | I,, do solemnly swear (or affirm) that I am
454 | years of age; that I am a citizen of the United States and a
455 | legal resident of Florida and County; that I personally
456 | make application for jury duty; that I am eligible to serve as a
457 | juror under the Constitution and laws of Florida; and that I
458 | reside at ...(Address)...

459 |
460 |(Signature)...

461 |
462 | Sworn to and subscribed before me this day of,
463 | ...(year)..., at County, Florida.

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.....

(Signature and title of officer
administering oath)

(5) Using the source name lists described subsections
(2) and (3), a clerk of court may generate juror candidate lists
as necessary to ensure a valid and consistent juror selection
process.

(a) The initial juror candidate list is derived from the
name sources and shall be the master list from which prospective
jurors are drawn for summons.

(b) The final juror candidate list shall contain a list of
those persons, drawn from the initial candidate list as
prescribed in this chapter, who are to be summoned as a pool for
possible juror service.

Section 8. Section 40.02, Florida Statutes, is amended to
read:

40.02 Selection of jury lists.-

~~(1) The chief judge of each circuit, or a circuit judge in
each county within the circuit who is designated by the chief
judge, shall request the selection of a jury list in each county
within the circuit during the first week of January of each
year, or as soon thereafter as practicable. The chief judge or
the chief judge's designee shall direct the clerk of the court
to select, by lot and at random, a sufficient number of names,
with their addresses, from the initial juror candidate list of
persons who are qualified to serve as jurors under the
provisions of s. 40.01 and to generate a final juror candidate
list of not fewer than 250 persons to serve as jurors as~~

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493 provided for in s. 40.221. The final juror candidate, ~~which list~~
494 must shall be signed and verified by the clerk of the court as
495 having been selected as aforesaid. The final juror candidate
496 list may be created, updated, or supplemented as often as
497 necessary to prevent the selection list from becoming exhausted,
498 but in no case less than annually during the first week of
499 January of each year, or as soon thereafter as practicable. A
500 circuit judge in a county to which he or she has been assigned
501 may also request that the final juror candidate list be updated
502 or supplemented, or that a new list be created ~~additional jury~~
503 ~~lists as necessary to prevent the jury list from becoming~~
504 ~~exhausted.~~

505 (2) When the final juror candidate ~~annual jury~~ list is
506 prepared pursuant to the request of a chief judge or the chief
507 judge's designee, the previously prepared final juror candidate
508 ~~lists prepared the previous year~~ shall be withdrawn from further
509 use. If, notwithstanding this provision, some names are not
510 withdrawn, such error or irregularity shall not invalidate any
511 subsequent proceeding or jury. The fact that any person so
512 selected had been on a former jury list or had served as a juror
513 in any court at any time shall not be grounds for challenge of
514 such person as a juror. If any person so selected shall be
515 ascertained to be disqualified or incompetent to serve as a
516 juror, such disqualification shall not affect the legality of
517 such list or be cause of challenge to the array of any jury
518 chosen from such list, but any person ascertained to be
519 disqualified to serve as a juror shall be subject to challenge
520 for cause, as defined by law. The set of juror candidate lists,

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521 although they may be defective or irregular in form or other
522 formal requirement, or in the number or qualification of the
523 persons so named, shall be the lists from which the names of
524 persons for jury service are to be drawn as prescribed by law.

525 ~~(3)-(2)~~ The clerk of the court shall be responsible for
526 preserving the security of the source and juror candidate ~~jury~~
527 lists.

528 ~~(4)-(3)~~ The clerk of the court shall perform the duties set
529 forth in this section and in ss. 40.221, 40.23, and 40.231 in
530 counties having an approved, computerized jury selection system,
531 the provisions of any special law or general law of local
532 application to the contrary notwithstanding. However, the chief
533 judge may designate the court administrator to perform these
534 duties if the county provides funding to the court administrator
535 to provide the personnel and other costs associated with jury
536 services.

537 Section 9. Subsection (1) of section 40.022, Florida
538 Statutes, is amended to read:

539 40.022 Clerk to purge jury selection lists; restoration.-

540 (1) To ensure that the juror candidates summoned satisfy
541 the requirements of ss. 40.01 and 40.013, each clerk of the
542 circuit court shall, upon receipt of the list of persons in the
543 department database from the Department of Highway Safety and
544 Motor Vehicles and at least once each month thereafter, purge
545 the final juror candidate ~~jury selection~~ lists of, at a minimum,
546 the names of those persons:

547 (a) Adjudicated mentally incompetent;

548 (b) Convicted of a felony; or

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549 (c) Deceased.

550 Section 10. Section 40.221, Florida Statutes, is amended
551 to read:

552 40.221 Drawing jury venire.—A clerk of the court, under
553 supervision of a judge of any court of record, shall, in a
554 manner deemed to produce a result by lot and at random, ~~randomly~~
555 select from the final juror candidate jury list such number of
556 persons as he or she deems necessary or expedient for a jury
557 venire, to be returnable at such time as the judge shall
558 specify, from which such venire or venires any jury may be
559 organized, including a grand jury when drawn by or upon order of
560 a judge of the circuit court. The clerk of the court shall keep
561 the list in a secure place.

562 Section 11. Section 40.225, Florida Statutes, is amended
563 to read:

564 40.225 Jury selection plan ~~Drawing jury venire,~~
565 ~~alternative method.~~—

566 (1) Pursuant to s. 40.001, the chief judge of each circuit
567 shall review and consent to the process for selecting juror
568 candidates within his or her circuit. The clerk of court shall
569 implement an automated electronic system in which ~~Whenever a~~
570 ~~majority of the judges authorized to conduct jury trials in a~~
571 ~~county consents,~~ the names of prospective jurors and other data
572 pertinent thereto shall be maintained for the purpose of the
573 drawing of juror candidates. This system shall be used as the
574 exclusive method ~~may be fed into a mechanical, electronic, or~~
575 ~~electrical device and drawn therefrom as an alternative to other~~
576 ~~methods~~ authorized by law for obtaining jury venires, if such

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577 drawing is by lot and at random and is approved by the Supreme
578 Court as hereinafter provided. Subject to the provisions of ss.
579 40.001 and 40.02, the clerk of the circuit court in each county
580 shall have the administrative responsibility for developing the
581 automated system of jury venire selection, obtaining approval
582 for the juror candidate selection process, and operating and
583 updating the system in accordance with this chapter and
584 technical standards and procedures adopted by the Chief Justice.

585 (2) The clerk of the court, or the chief judge of the
586 circuit if performing the duties of juror candidate selection as
587 provided in s. 40.02, shall submit for approval a plan for the
588 selection of juror candidates as required in this section to the
589 Chief Justice. The plan must be reapproved whenever required by
590 a change in the law, a change in the technical standards and
591 procedures, or a change in the approved clerk-maintained
592 hardware or software used in the automated system of jury venire
593 selection. The proposed plan, if submitted by the clerk, must be
594 approved by the chief judge of the judicial circuit in which the
595 county is located, and must include a description of the
596 equipment, methods, and mode of operation to be used, in a
597 manner consistent with the technical standards and procedures
598 established by the Chief Justice. ~~When a majority of the trial~~
599 ~~judges authorizes the alternative method of drawing a jury~~
600 ~~venire as provided in subsection (1), the chief judge of the~~
601 ~~judicial circuit in which the county is located shall make a~~
602 ~~certificate to that effect and transmit the same to the Chief~~
603 ~~Justice of the Supreme Court, together with a description of the~~
604 ~~equipment, methods, and mode of operation to be used.~~

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605 (3) The Chief Justice shall examine the proposed plan for
606 compliance with applicable statutory requirements and with
607 established technical standards and procedures ~~cause the~~
608 ~~certificate and data accompanying it to be presented to the~~
609 ~~justices of the Supreme Court.~~ If the Chief Justice ~~court~~ finds
610 that the proposed plan ~~method will produce venires selected by~~
611 ~~lot and at random,~~ is in compliance with applicable statutory
612 requirements and established technical standards and procedures,
613 will produce venires selected by lot and at random ~~all~~
614 ~~constitutional requirements of jury selection,~~ and is otherwise
615 feasible and practicable, an administrative order of approval of
616 same shall be made and filed. Thereafter, the ~~alternative method~~
617 ~~so~~ approved system for automated selection of jury venires shall
618 ~~may~~ be used in the county so authorized.

619 ~~(4) The chief judge of the judicial circuit in which the~~
620 ~~county is located shall supervise the use of such alternative~~
621 ~~method whenever approval of same has been made by order of the~~
622 ~~Supreme Court.~~

623 ~~(4)(5) This section does not require~~ Nothing herein shall
624 ~~be construed as requiring~~ uniform equipment or methods
625 throughout the state.

626 Section 12. Subsection (1) of section 57.081, Florida
627 Statutes, is amended to read:

628 57.081 Costs; right to proceed where prepayment of costs
629 and payment of filing fees waived.—

630 (1) Any indigent person, except a prisoner as defined in
631 s. 57.085, who is a party or intervenor in any judicial or
632 administrative agency proceeding or who initiates such

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633 proceeding shall receive the services of the courts, sheriffs,
634 and clerks, with respect to such proceedings, despite his or her
635 present inability to pay for these services. Such services are
636 limited to filing fees; service of process; certified copies of
637 orders or final judgments; a single photocopy of any court
638 pleading, record, or instrument filed with the clerk; examining
639 fees; mediation services and fees; private court-appointed
640 counsel fees; subpoena fees and services; service charges for
641 collecting and disbursing funds; and any other cost or service
642 arising out of pending litigation. In any appeal from an
643 administrative agency decision, for which the clerk is
644 responsible for preparing the transcript, the clerk shall record
645 the cost of preparing the transcripts and the cost for copies of
646 any exhibits in the record. A party who has obtained a
647 certification of indigence pursuant to s. 27.52 or s. 57.082
648 with respect to a proceeding is not required to prepay costs to
649 a court, clerk, or sheriff and is not required to pay filing
650 fees or charges for issuance of a summons ~~Prepayment of costs to~~
651 ~~any court, clerk, or sheriff is not required and payment of~~
652 ~~filing fees is not required in any action if the party has~~
653 ~~obtained in each proceeding a certification of indigence in~~
654 ~~accordance with s. 27.52 or s. 57.082.~~

655 Section 13. Subsection (11) is added to section 95.11,
656 Florida Statutes, to read:

657 95.11 Limitations other than for the recovery of real
658 property.—Actions other than for recovery of real property shall
659 be commenced as follows:

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660 (11) COURT COSTS AND FINES.—Notwithstanding subsection
661 (1), an action to collect court costs, fees, or fines owed to
662 the state may be commenced at any time.

663 Section 14. Paragraph (a) of subsection (4) of section
664 112.3173, Florida Statutes, is amended to read:

665 112.3173 Felonies involving breach of public trust and
666 other specified offenses by public officers and employees;
667 forfeiture of retirement benefits.—

668 (4) NOTICE.—

669 (a) The clerk of a court in which a proceeding involving a
670 specified offense is being conducted against a public officer or
671 employee shall furnish notice of the proceeding to the
672 Commission on Ethics after the state attorney advises the clerk
673 that the defendant is a public officer or employee and that the
674 defendant is alleged to have committed a specified offense. Such
675 notice is sufficient if it is in the form of a copy of the
676 indictment, information, or other document containing the
677 charges. In addition, if a verdict of guilty is returned by a
678 jury or by the court trying the case without a jury, or a plea
679 of guilty or of nolo contendere is entered in the court by the
680 public officer or employee, the clerk shall furnish a copy
681 thereof to the Commission on Ethics.

682 Section 15. Paragraph (b) of subsection (8) of section
683 318.18, Florida Statutes, is amended to read:

684 318.18 Amount of penalties.—The penalties required for a
685 noncriminal disposition pursuant to s. 318.14 or a criminal
686 offense listed in s. 318.17 are as follows:

687 (8)

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688 (b)1.a. If a person has been ordered to pay a civil
689 penalty for a noncriminal traffic infraction and the person is
690 unable to comply with the court's order due to demonstrable
691 financial hardship, the court shall allow the person to satisfy
692 the civil penalty by participating in community service until
693 the civil penalty is paid.

694 b. If a court orders a person to perform community
695 service, the person shall receive credit for the civil penalty
696 at the specified hourly credit rate per hour of community
697 service performed, and each hour of community service performed
698 shall reduce the civil penalty by that amount.

699 2.a. As used in this paragraph, the term "specified hourly
700 credit rate" means the wage rate that is specified in 29 U.S.C.
701 s. 206(a)(1) under the federal Fair Labor Standards Act of 1938,
702 that is then in effect, and that an employer subject to such
703 provision must pay per hour to each employee subject to such
704 provision.

705 b. However, if a person ordered to perform community
706 service has a trade or profession for which there is a community
707 service need, the specified hourly credit rate for each hour of
708 community service performed by that person shall be the average
709 prevailing wage rate for the trade or profession that the
710 community service agency needs.

711 3.a. The community service agency supervising the person
712 shall record the number of hours of community service completed
713 and the date the community service hours were completed. The
714 community service agency shall submit the data to the clerk of
715 court on the letterhead of the community service agency, which

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716 must also bear the notarized signature of the person designated
717 to represent the community service agency.

718 b. When the number of community service hours completed by
719 the person equals the amount of the civil penalty, the clerk of
720 court shall certify this fact to the court. Thereafter, the
721 clerk of court shall record in the case file that the civil
722 penalty has been paid in full.

723 4. As used in this paragraph, the term:

724 a. "Community service" means uncompensated labor for a
725 community service agency.

726 b. "Community service agency" means a not-for-profit
727 corporation, community organization, charitable organization,
728 public officer, the state or any political subdivision of the
729 state, or any other body the purpose of which is to improve the
730 quality of life or social welfare of the community and which
731 agrees to accept community service from persons unable to pay
732 civil penalties for noncriminal traffic infractions.

733 Section 16. Subsection (3) of section 668.50, Florida
734 Statutes, is amended to read:

735 668.50 Uniform Electronic Transaction Act.—

736 (3) SCOPE.—

737 (a) Except as otherwise provided in paragraph (b), this
738 section applies to electronic records and electronic signatures
739 relating to a transaction.

740 (b) This section does not apply to a transaction to the
741 extent the transaction is governed by:

742 1. A provision of law governing the creation and execution
743 of wills, codicils, or testamentary trusts;

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744 2. The Uniform Commercial Code other than s. 671.107 and
745 chapters 672 and 680; or

746 3. The Uniform Computer Information Transactions Act. ~~;~~ or

747 ~~4. Rules relating to judicial procedure.~~

748 (c) Except with respect to subsections (2), (9), and (11),
749 this section does not apply to a transaction to the extent the
750 transaction is governed by rules relating to judicial procedure.

751 (d) ~~(e)~~ This section applies to an electronic record or
752 electronic signature otherwise excluded under paragraph (b) to
753 the extent such record or signature is governed by a provision
754 of law other than those specified in paragraph (b).

755 (e) ~~(d)~~ A transaction subject to this section is also
756 subject to other applicable provisions of substantive law.

757 Section 17. Paragraph (c) of subsection (1) of section
758 733.707, Florida Statutes, is amended to read:

759 733.707 Order of payment of expenses and obligations.—

760 (1) The personal representative shall pay the expenses of
761 the administration and obligations of the decedent's estate in
762 the following order:

763 (c) Class 3.—Debts and taxes with preference under federal
764 law, and claims pursuant to ss. 409.9101 and 414.28, and claims
765 in favor of the state for unpaid court costs, fees, or fines.

766 Section 18. Section 893.11, Florida Statutes, is amended
767 to read:

768 893.11 Suspension, revocation, and reinstatement of
769 business and professional licenses.—For the purposes of s.
770 120.60(6), any conviction in any court reported to the

771 Comprehensive Case Information System of the Florida Association

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772 of Clerks and Comptroller, Inc., for the sale of, or trafficking
773 in, a controlled substance or for conspiracy to sell, or traffic
774 in, a controlled substance constitutes an immediate serious
775 danger to the public health, safety, or welfare, and is grounds
776 for disciplinary action by the licensing state agency. A state
777 agency shall initiate an immediate emergency suspension of an
778 individual professional license issued by the agency, in
779 compliance with the procedures for summary suspensions in s.
780 120.60(6), upon the agency's findings of the licensee's
781 conviction in any court reported to the Comprehensive Case
782 Information System of the Florida Association of Court Clerks
783 and Comptroller, Inc., ~~Upon the conviction in any court of~~
784 ~~competent jurisdiction of any person holding a license, permit,~~
785 ~~or certificate issued by a state agency, for the sale of, or~~
786 ~~trafficking in, a controlled substance, or for conspiracy to~~
787 ~~sell, or traffic in, a controlled substance. Before renewing any~~
788 ~~professional license, a state agency that issues a professional~~
789 ~~license must use the Comprehensive Case Information System of~~
790 ~~the Florida Association of Court Clerks and Comptroller, Inc.,~~
791 ~~to obtain information relating to any conviction for the sale~~
792 ~~of, or trafficking in, a controlled substance or for conspiracy~~
793 ~~to sell, or traffic in, a controlled substance. The clerk of~~
794 ~~court shall provide electronic access to each state agency at no~~
795 ~~cost and also provide certified copies of the judgment upon~~
796 ~~request to the agency., if such offense is a felony, the clerk~~
797 ~~of said court shall send a certified copy of the judgment of~~
798 ~~conviction with the person's license number, permit number, or~~
799 ~~certificate number on the face of such certified copy to the~~

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800 ~~agency head by whom the convicted defendant has received a~~
801 ~~license, permit, or certificate to practice his or her~~
802 ~~profession or to carry on his or her business. Such agency head~~
803 ~~shall suspend or revoke the license, permit, or certificate of~~
804 ~~the convicted defendant to practice his or her profession or to~~
805 ~~carry on his or her business. Upon a showing by any such~~
806 convicted defendant whose professional license, ~~permit, or~~
807 ~~certificate~~ has been suspended or revoked pursuant to this
808 section that his or her civil rights have been restored or upon
809 a showing that the convicted defendant meets the following
810 criteria, the agency head may reinstate or reactivate such
811 license, ~~permit, or certificate~~ when:

812 (1) The person has complied with the conditions of
813 paragraphs (a) and (b) which shall be monitored by the
814 Department of Corrections while the person is under any
815 supervisory sanction. If the person fails to comply with
816 provisions of these paragraphs by either failing to maintain
817 treatment or by testing positive for drug use, the department
818 shall notify the licensing, ~~permitting, or certifying~~ agency,
819 which shall revoke the license, ~~permit, or certification~~. The
820 person under supervision may:

821 (a) Seek evaluation and enrollment in, and once enrolled
822 maintain enrollment in until completion, a drug treatment and
823 rehabilitation program which is approved or regulated by the
824 Department of Children and Family Services. The treatment and
825 rehabilitation program shall be specified by:

826 1. The court, in the case of court-ordered supervisory
827 sanctions;

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828 2. The Parole Commission, in the case of parole, control
829 release, or conditional release; or

830 3. The Department of Corrections, in the case of
831 imprisonment or any other supervision required by law.

832 (b) Submit to periodic urine drug testing pursuant to
833 procedures prescribed by the Department of Corrections. If the
834 person is indigent, the costs shall be paid by the Department of
835 Corrections; or

836 (2) The person has successfully completed an appropriate
837 program under the Correctional Education Program.

838 (3) As used in this section, the term "professional
839 license" includes any license, permit, or certificate that
840 authorizes a person to practice his or her profession. However,
841 the term ~~This section~~ does not include ~~apply to~~ any of the
842 taxes, fees, or permits regulated, controlled, or administered
843 by the Department of Revenue in accordance with s. 213.05.

844 Section 19. Paragraphs (a) and (b) of subsection (2) of
845 section 938.27, Florida Statutes, are amended to read:

846 938.27 Judgment for costs on conviction.—

847 (2) (a) The court shall impose the costs of prosecution and
848 investigation notwithstanding the defendant's present ability to
849 pay. The court shall require the defendant to pay the costs
850 within a specified period or pursuant to a payment plan under s.
851 28.246(4) in ~~specified installments.~~

852 (b) The end of such period or the last such installment
853 must ~~shall~~ not be later than:

854 1. The end of the period of probation or community
855 control, if probation or community control is ordered;

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856 2. Five years after the end of the term of imprisonment
857 imposed, if the court does not order probation or community
858 control; or

859 3. Five years after the date of sentencing in any other
860 case.

861

862 However, ~~in no event shall~~ the obligation to pay any unpaid
863 amounts does not expire if not paid in full within the period
864 specified in this paragraph.

865 Section 20. Present subsections (8) through (12) of
866 section 938.30, Florida Statutes, are renumbered as subsections
867 (10) through (14), respectively, and new subsections (8) and (9)
868 are added to that section to read:

869 938.30 Financial obligations in criminal cases;
870 supplementary proceedings.-

871 (8) If a criminal or civil judgment has previously been
872 entered on a court-imposed financial obligation, the judgment
873 constitutes a civil lien against the judgment debtor's presently
874 owned or after-acquired real or personal property when recorded
875 pursuant to s. 55.10, except that a judgment on a court-imposed
876 financial obligation is not subject to the 10-year rerecording
877 requirement of s. 55.10. The judgment must secure all unpaid
878 court-imposed financial obligations that are due and may accrue
879 subsequent to the recording of the judgment, as well as interest
880 and reasonable costs for issuing a satisfaction and recording
881 the satisfaction in the official records.

882 (9) The clerk of the court shall enforce, satisfy,
883 compromise, settle, subordinate, release, or otherwise dispose

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884 of any debts or liens imposed and collected under this section
885 in the same manner as prescribed in s. 938.29(3).

886 Section 21. Section 947.181, Florida Statutes, is amended
887 to read:

888 947.181 Fines, fees, restitution, or other costs ordered
889 to be paid ~~Victim restitution~~ as conditions ~~condition~~ of
890 parole.-

891 (1) ~~(a)~~ The ~~Parole~~ commission shall require the payment of
892 finances, fees, restitution, or other court-ordered costs as a
893 condition of parole ~~reparation or restitution to the aggrieved~~
894 ~~party for the damage or loss caused by the offense for which the~~
895 ~~parolee was imprisoned~~ unless the commission finds reasons to
896 the contrary. Restitution to the aggrieved party for injury,
897 damage, or loss caused by the offense for which the parolee was
898 imprisoned shall have first priority in the payment of amounts
899 owed under this section. If the commission does not require the
900 payment of fines, fees, restitution, or other court-ordered
901 costs ~~order restitution~~ or requires ~~orders~~ only partial payment
902 of the fines, fees, restitution, or other court-ordered costs
903 ~~restitution~~, the commission shall state on the record the
904 reasons for its decision ~~therefor~~. ~~The amount of such reparation~~
905 ~~or restitution shall be determined by the Parole Commission.~~

906 (2) ~~(b)~~ If the parolee fails to make the payments
907 ~~reparation or restitution to the aggrieved party~~ as required
908 ~~authorized~~ in subsection (1) paragraph (a), it shall be
909 considered by the commission as a violation of parole as
910 specified in s. 947.21 and may be cause for revocation of ~~her or~~
911 ~~his~~ parole.

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912 (3)~~(2)~~ If a defendant is paroled, any restitution ordered
 913 under s. 775.089 shall be a condition of such parole. The Parole
 914 Commission may revoke parole if the defendant fails to comply
 915 with such order.

916 (4) In determining whether to revoke parole, the ~~Parole~~
 917 commission shall consider the defendant's employment status,
 918 earning ability, and financial resources; the willfulness of the
 919 defendant's failure to pay; and any other special circumstances
 920 that may have a bearing on the defendant's ability to pay.

921 Section 22. This act shall take effect July 1, 2012.

922

923

924

T I T L E A M E N D M E N T

925

Remove the entire title and insert:

926

927

An act relating to clerks of court; amending s. 27.52,

928

F.S.; authorizing the clerk of court to review the

929

property records and motor vehicle records to

930

determine whether an applicant for the appointment of

931

a public defender is indigent; deleting a requirement

932

that the clerk conduct the review; amending s. 28.24,

933

F.S.; deleting a requirement for the clerks of the

934

circuit courts to participate in the Comprehensive

935

Case Information System; creating s. 28.2405, F.S.;

936

requiring clerks of the circuit courts to use the

937

Comprehensive Case Information System and to submit

938

data to the system based on case types designated by

939

the Supreme Court of Florida; amending s. 28.241,

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940 F.S.; providing that filing fees and fees to reopen a
941 proceeding are due at the time a party files a
942 pleading to initiate or reopen a proceeding; requiring
943 the clerk of court to pursue the collection of fees
944 that are not timely paid; revising the circumstances
945 under which a fee to reopen a case applies; exempting
946 a person from paying a reopen fee for filing a motion
947 to enforce a stipulation or a motion for contempt;
948 authorizing the clerk of court to charge a fee to
949 issue an electronic certified copy of a summons;
950 amending s. 28.37, F.S.; providing that certain
951 penalties and fines are not deposited into the clerk's
952 Public Records Modernization Trust Fund; amending s.
953 34.041, F.S.; requiring the party filing a case in
954 county court to pay all filing and reopen fees at the
955 time of filing; requiring the clerk to pursue
956 collection of the fees if the fees are not paid at the
957 time of filing; authorizing the clerk of court to
958 charge a fee for issuing an electronic certified copy
959 of a summons; revising the circumstances under which a
960 fee to reopen a case applies; exempting a party from
961 paying a reopen fee for filing motions to enforce
962 stipulations and motions for contempt; amending s.
963 40.011, F.S.; requiring that a clerk of court generate
964 a set of juror candidate lists; requiring that the
965 clerk of court add names of certain persons to the
966 juror candidate lists; authorizing the clerk of court
967 to generate juror candidate lists to ensure a valid

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968 and consistent juror selection process; amending s.
969 40.02, F.S.; revising the process of selecting jury
970 lists; amending s. 40.022, F.S.; revising the process
971 of purging jury selection lists; amending s. 40.221,
972 F.S.; conforming provisions to changes made by the
973 act; amending s. 40.225, F.S.; requiring that the
974 clerk of court implement an automated electronic
975 system for drawing jury venire; providing
976 administrative responsibilities of the clerks of court
977 with regard to the jury venire; requiring that the
978 clerk of court or the chief judge submit for approval
979 a plan for the selection of juror candidates;
980 requiring that the Chief Justice of the Supreme Court
981 examine the proposed plan for compliance with
982 applicable statutory requirements and technical
983 standards and procedures; requiring that an
984 administrative order be filed if the proposed plan is
985 approved; amending s. 57.081, F.S.; providing that a
986 person who receives a certification of indigence with
987 respect to a proceeding is not required to pay charges
988 to issue a summons; amending s. 95.11, F.S.; providing
989 that an action to collect any court costs, fees, or
990 fines owed to the state may be commenced at any time;
991 amending s. 112.3173, F.S.; providing for the duty of
992 a clerk of court to notify the Commission on Ethics of
993 certain proceedings involving public officers or
994 employees to arise after the clerk is advised by the
995 state attorney that the defendant is a public officer

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996 or employee who is alleged to have committed a
997 specified offense; amending s. 318.18, F.S.; requiring
998 that the signature of the person designated to
999 represent a community service agency be notarized on
1000 letterhead that indicates the number of hours of
1001 community service completed and the date the community
1002 service hours were completed by a person who is
1003 ordered to perform community service as a penalty for
1004 specified offenses; amending s. 668.50, F.S.; limiting
1005 the exemption from the Uniform Electronic Transaction
1006 Act for transactions governed by rules relating to
1007 judicial procedure; amending s. 733.707, F.S.;
1008 specifying the priority of payment of unpaid court
1009 costs, fees, or fines by a decedent's estate; amending
1010 s. 893.11, F.S.; providing that convictions of certain
1011 types of criminal offenses which are reported to the
1012 Comprehensive Case Information System of the Florida
1013 Association of Clerks and Comptroller, Inc., are an
1014 immediate, serious danger to the public health,
1015 safety, or welfare; providing that such convictions
1016 are grounds for disciplinary action by a licensing
1017 state agency; requiring that a state agency initiate
1018 an emergency suspension of an individual professional
1019 license upon the agency's finding of the licensee's
1020 conviction of a certain type of criminal offense which
1021 is reported to the Comprehensive Case Information
1022 System; requiring that certain state agencies use the
1023 Comprehensive Case Information System to obtain

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1024 information relating to a conviction involving certain
1025 types of criminal offenses; requiring that the clerk
1026 of court provide to each state agency electronic
1027 access and provide certified copies of judgments to
1028 licensing agencies upon request; defining the term
1029 "business or professional license"; amending s.
1030 938.27, F.S.; authorizing a court to require a
1031 defendant to pay the costs of prosecution and
1032 investigation pursuant to a payment plan under a
1033 specified provision; amending s. 938.30, F.S.;

1034 providing that criminal or civil judgment and related
1035 costs are a civil lien against the judgment debtor's
1036 presently owned or after-acquired real or personal
1037 property if the judgment is recorded; providing an
1038 exception to rerecording requirements; requiring that
1039 the clerk of court enforce, satisfy, compromise,
1040 settle, subordinate, release, or otherwise dispose of
1041 any debts or lien imposed and collected in the same
1042 manner as for an indigent defendant-recipient;

1043 amending s. 947.181, F.S.; providing that the Parole
1044 Commission require as a condition of parole the
1045 payment of fines, fees, or other court-ordered costs
1046 under certain circumstances; providing that
1047 restitution ordered as a condition of parole has first
1048 priority over the payment of other costs ordered as a
1049 condition of parole; requiring that the commission
1050 state on record the reasons for not requiring the full

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7095 (2012)

Amendment No. 1

1051 payment of the fines, fees, or other court-ordered
1052 costs; providing an effective date.

1053