

By Senator Ring

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1 A bill to be entitled
2 An act relating to paper reduction; amending s.
3 97.052, F.S.; providing that the uniform statewide
4 voter registration application be designed to elicit
5 the e-mail address of an applicant and whether the
6 applicant desires to receive sample ballots by e-mail;
7 amending s. 101.20, F.S.; authorizing a supervisor of
8 elections to send a sample ballot to a registered
9 elector by e-mail under certain circumstances;
10 amending s. 125.66, F.S.; requiring the clerk of a
11 board of county commissioners to electronically
12 transmit enacted ordinances, amendments, and emergency
13 ordinances to the Department of State; amending s.
14 194.034, F.S.; permitting a value adjustment board to
15 electronically provide the taxpayer and property
16 appraiser with notice of the decision of the board;
17 amending s. 200.069, F.S.; authorizing the property
18 appraiser to notify taxpayers of proposed property
19 taxes by postcard or e-mail in lieu of first-class
20 mail; providing notice language; authorizing the
21 property appraiser to prepare and make available on
22 the appraiser's website the notice of proposed
23 property taxes; providing additional notice
24 requirements; amending s. 648.421, F.S.; requiring a
25 licensed bail bond agent to provide notice of a change
26 of e-mail address to specified entities; amending s.
27 648.43, F.S.; requiring a bail bond agent who executes
28 or countersigns a transfer bond to indicate the
29 agent's e-mail address; amending s. 648.44, F.S.;

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30 providing that a bail bond agent's e-mail address is
31 permissible print advertising in certain places;
32 creating s. 903.012, F.S.; permitting bonds to be
33 posted in person or electronically at the election of
34 the receiving agency; permitting the electronic
35 transmission of bonds between certain entities;
36 amending s. 903.101, F.S.; providing that every
37 licensed surety shall have equal access to jails for
38 the purpose of making bonds either in person or
39 electronically; amending s. 903.14, F.S.; requiring a
40 surety who submits an affidavit pertaining to any bond
41 to file an affidavit in the same manner as the bond;
42 amending s. 903.26, F.S.; authorizing a clerk of court
43 to mail or electronically transmit a notice relating
44 to a bond forfeiture proceeding; amending s. 903.27,
45 F.S.; permitting a clerk of court to furnish certain
46 required documents and notices relating to bond
47 forfeitures by mail or electronic means; deleting an
48 outdated provision; amending s. 903.31, F.S.;

49 providing that a certificate of cancellation of an
50 original bond may be furnished by mail or
51 electronically; amending s. 903.36, F.S.; providing
52 that traffic arrest bond certificates may be presented
53 in person or electronically; providing an effective
54 date.

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

57
58 Section 1. Paragraphs (e) through (t) of subsection (2) of

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59 section 97.052, Florida Statutes, are redesignated as paragraphs
60 (f) through (u), respectively, and a new paragraph (e) is added
61 to that section, to read:

62 97.052 Uniform statewide voter registration application.—

63 (2) The uniform statewide voter registration application
64 must be designed to elicit the following information from the
65 applicant:

66 (e) E-mail address and whether the applicant wishes to
67 receive sample ballots by e-mail.

68

69 The registration application must be in plain language and
70 designed so that convicted felons whose civil rights have been
71 restored and persons who have been adjudicated mentally
72 incapacitated and have had their voting rights restored are not
73 required to reveal their prior conviction or adjudication.

74 Section 2. Subsection (2) of section 101.20, Florida
75 Statutes, is amended to read:

76 101.20 Publication of ballot form; sample ballots.—

77 (2) Upon completion of the list of qualified candidates, a
78 sample ballot shall be published by the supervisor of elections
79 in a newspaper of general circulation in the county, before
80 ~~prior to~~ the day of election. In lieu of publication, a
81 supervisor may send a sample ballot to each registered elector
82 by e-mail at least 7 days before any election if an e-mail
83 address has been provided and the elector has opted to receive a
84 sample ballot by electronic delivery. If an e-mail address has
85 not been provided, or if the elector has not opted for
86 electronic delivery ~~If the county has an addressograph or~~
87 ~~equivalent system for mailing to registered electors, a sample~~

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88 ballot may be mailed to each registered elector or to each
89 household in which there is a registered elector, in lieu of
90 publication, at least 7 days before ~~prior to~~ any election.

91 Section 3. Paragraph (b) of subsection (2) and subsection
92 (3) of section 125.66, Florida Statutes, are amended to read:

93 125.66 Ordinances; enactment procedure; emergency
94 ordinances; rezoning or change of land use ordinances or
95 resolutions.-

96 (2)

97 (b) Certified copies of ordinances or amendments thereto
98 enacted under this regular enactment procedure shall be filed
99 with the Department of State by the clerk of the board of county
100 commissioners within 10 days after enactment by said board and
101 shall take effect upon filing with the Department of State.
102 However, any ordinance may prescribe a later effective date. In
103 lieu of delivery of the certified copies of the enacted
104 ordinances or amendments by first-class mail, the clerk of the
105 board of county commissioners shall transmit the enacted
106 ordinances or amendments to the department by e-mail. The
107 department shall confirm by e-mail the receipt and effective
108 date of the ordinances or amendments with the clerk of the board
109 of county commissioners.

110 (3) The emergency enactment procedure shall be as follows:
111 The board of county commissioners at any regular or special
112 meeting may enact or amend any ordinance with a waiver of the
113 notice requirements of subsection (2) by a four-fifths vote of
114 the membership of such board, declaring that an emergency exists
115 and that the immediate enactment of said ordinance is necessary.
116 However, no emergency ordinance or resolution shall be enacted

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117 which establishes or amends the actual zoning map designation of
118 a parcel or parcels of land or changes the actual list of
119 permitted, conditional, or prohibited uses within a zoning
120 category. Emergency enactment procedures for land use plans
121 adopted pursuant to part II of chapter 163 shall be pursuant to
122 that part. Certified copies of ordinances or amendments thereto
123 enacted under this emergency enactment procedure by a county
124 shall be filed with the Department of State by the clerk of the
125 board of county commissioners as soon after enactment by said
126 board as is practicable. An emergency ordinance enacted under
127 this procedure shall be transmitted by the clerk of the board of
128 county commissioners by e-mail to the Department of State. It
129 shall be deemed to be filed and shall take effect when a copy
130 has been accepted and confirmed by the department by e-mail
131 ~~deemed to be filed and shall take effect when a copy has been~~
132 ~~accepted by the postal authorities of the Government of the~~
133 ~~United States for special delivery by certified mail to the~~
134 ~~Department of State.~~

135 Section 4. Subsection (2) of section 194.034, Florida
136 Statutes, is amended to read:

137 194.034 Hearing procedures; rules.—

138 (2) In each case, except if the complaint is withdrawn by
139 the petitioner or if the complaint is acknowledged as correct by
140 the property appraiser, the value adjustment board shall render
141 a written decision. All such decisions shall be issued within 20
142 calendar days after the last day the board is in session under
143 s. 194.032. The decision of the board must contain findings of
144 fact and conclusions of law and must include reasons for
145 upholding or overturning the determination of the property

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146 appraiser. If a special magistrate has been appointed, the
147 recommendations of the special magistrate shall be considered by
148 the board. The clerk, upon issuance of a decision, shall, on a
149 form provided by the Department of Revenue, notify each taxpayer
150 and the property appraiser of the decision of the board. This
151 notification shall be by first-class mail or by electronic means
152 if selected by the taxpayer on the originally filed petition
153 ~~each taxpayer and the property appraiser of the decision of the~~
154 ~~board.~~ If requested by the Department of Revenue, the clerk
155 shall provide to the department a copy of the decision or
156 information relating to the tax impact of the findings and
157 results of the board as described in s. 194.037 in the manner
158 and form requested.

159 Section 5. Section 200.069, Florida Statutes, is amended to
160 read:

161 200.069 Notice of proposed property taxes and non-ad
162 valorem assessments.—Pursuant to s. 200.065(2)(b), the property
163 appraiser, in the name of the taxing authorities and local
164 governing boards levying non-ad valorem assessments within his
165 or her jurisdiction and at the expense of the county, shall
166 prepare and deliver by first-class mail to each taxpayer to be
167 listed on the current year's assessment roll a notice of
168 proposed property taxes, which notice shall contain the elements
169 and use the format provided in the following form.

170 Notwithstanding the provisions of s. 195.022, no county officer
171 shall use a form other than that provided herein. The Department
172 of Revenue may adjust the spacing and placement on the form of
173 the elements listed in this section as it considers necessary
174 based on changes in conditions necessitated by various taxing

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175 authorities. If the elements are in the order listed, the
176 placement of the listed columns may be varied at the discretion
177 and expense of the property appraiser, and the property
178 appraiser may use printing technology and devices to complete
179 the form, the spacing, and the placement of the information in
180 the columns. A county officer may use a form other than that
181 provided by the department for purposes of this part, but only
182 if his or her office pays the related expenses and he or she
183 obtains prior written permission from the executive director of
184 the department; however, a county officer may not use a form the
185 substantive content of which is at variance with the form
186 prescribed by the department. The county officer may continue to
187 use such an approved form until the law that specifies the form
188 is amended or repealed or until the officer receives written
189 disapproval from the executive director. In lieu of delivery of
190 the notice of proposed property taxes by first-class mail, the
191 property appraiser may prepare and mail a postcard to each
192 taxpayer listed on the current year's assessment roll, which
193 shall contain at a minimum the following statement:

194 ATTENTION PROPERTY OWNER

195 This postcard is your official notification pursuant
196 to sections 192.0105 and 200.069, Florida Statutes,
197 that your notice of proposed property taxes and non-ad
198 valorem assessments is available for viewing and
199 download on my website at ...(website address).... If
200 you are unable to access my website, you are entitled
201 to have a copy of your notice mailed to you for free
202 by contacting my office at ... (telephone number)....
203 Please note: your final tax bill may contain non-ad

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204 valorem assessments that may not be reflected on your
205 notice, such as assessments for roads, fire, garbage,
206 lighting, drainage, water, sewer, or other
207 governmental services and facilities that may be
208 levied by your county, city, or special district.

209
210 The property appraiser may also provide notification by e-mail
211 to property owners or other interested parties who have
212 registered an e-mail address with the property appraiser that
213 the notice of proposed property taxes and non-ad valorem
214 assessments is available for viewing and download on the
215 property appraiser office's website. The property appraiser
216 shall prepare and make available for viewing, printing, and
217 downloading on the property appraiser office's website a notice
218 of proposed property taxes and non-ad valorem assessments for
219 each taxpayer to be listed on the current year's assessment
220 roll, which shall be a separate web page, weblink, attachment,
221 or document, and shall contain all the substantive elements as
222 outlined in this section. The property appraiser may use a
223 format for web display of all substantive elements as outlined
224 in this section other than that provided by the department for
225 purposes of this part, but only if the property appraiser's
226 office obtains prior written permission from the executive
227 director of the department. The format may contain substantive
228 elements deemed important by the property appraiser, in addition
229 to the elements outlined in this section. The property appraiser
230 may continue to use the approved format until the law that
231 specifies the form is amended or repealed or until the officer
232 receives written disapproval from the executive director of the

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233 department.

234 (1) The first page of the notice shall read:

235

236 NOTICE OF PROPOSED PROPERTY TAXES

237 DO NOT PAY—THIS IS NOT A BILL

238

239 The taxing authorities which levy property taxes against
240 your property will soon hold PUBLIC HEARINGS to adopt budgets
241 and tax rates for the next year.

242 The purpose of these PUBLIC HEARINGS is to receive opinions
243 from the general public and to answer questions on the proposed
244 tax change and budget PRIOR TO TAKING FINAL ACTION.

245 Each taxing authority may AMEND OR ALTER its proposals at
246 the hearing.

247 (2) (a) The notice shall include a brief legal description
248 of the property, the name and mailing address of the owner of
249 record, and the tax information applicable to the specific
250 parcel in question. The information shall be in columnar form.
251 There shall be seven column headings which shall read: "Taxing
252 Authority," "Your Property Taxes Last Year," "Last Year's
253 Adjusted Tax Rate (Millage)," "Your Taxes This Year IF NO Budget
254 Change Is Adopted," "Tax Rate This Year IF PROPOSED Budget Is
255 Adopted (Millage)," "Your Taxes This Year IF PROPOSED Budget
256 Change Is Adopted," and "A Public Hearing on the Proposed Taxes
257 and Budget Will Be Held:."

258 (b) As used in this section, the term "last year's adjusted
259 tax rate" means the rolled-back rate calculated pursuant to s.
260 200.065(1).

261 (3) There shall be under each column heading an entry for

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262 the county; the school district levy required pursuant to s.
263 1011.60(6); other operating school levies; the municipality or
264 municipal service taxing unit or units in which the parcel lies,
265 if any; the water management district levying pursuant to s.
266 373.503; the independent special districts in which the parcel
267 lies, if any; and for all voted levies for debt service
268 applicable to the parcel, if any.

269 (4) For each entry listed in subsection (3), there shall
270 appear on the notice the following:

271 (a) In the first column, a brief, commonly used name for
272 the taxing authority or its governing body. The entry in the
273 first column for the levy required pursuant to s. 1011.60(6)
274 shall be "By State Law." The entry for other operating school
275 district levies shall be "By Local Board." Both school levy
276 entries shall be indented and preceded by the notation "Public
277 Schools:". For each voted levy for debt service, the entry shall
278 be "Voter Approved Debt Payments."

279 (b) In the second column, the gross amount of ad valorem
280 taxes levied against the parcel in the previous year. If the
281 parcel did not exist in the previous year, the second column
282 shall be blank.

283 (c) In the third column, last year's adjusted tax rate or,
284 in the case of voted levies for debt service, the tax rate
285 previously authorized by referendum.

286 (d) In the fourth column, the gross amount of ad valorem
287 taxes which will apply to the parcel in the current year if each
288 taxing authority levies last year's adjusted tax rate or, in the
289 case of voted levies for debt service, the amount previously
290 authorized by referendum.

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291 (e) In the fifth column, the tax rate that each taxing
292 authority must levy against the parcel to fund the proposed
293 budget or, in the case of voted levies for debt service, the tax
294 rate previously authorized by referendum.

295 (f) In the sixth column, the gross amount of ad valorem
296 taxes that must be levied in the current year if the proposed
297 budget is adopted.

298 (g) In the seventh column, the date, the time, and a brief
299 description of the location of the public hearing required
300 pursuant to s. 200.065(2)(c).

301 (5) Following the entries for each taxing authority, a
302 final entry shall show: in the first column, the words "Total
303 Property Taxes:" and in the second, fourth, and sixth columns,
304 the sum of the entries for each of the individual taxing
305 authorities. The second, fourth, and sixth columns shall,
306 immediately below said entries, be labeled Column 1, Column 2,
307 and Column 3, respectively. Below these labels shall appear, in
308 boldfaced type, the statement: SEE REVERSE SIDE FOR EXPLANATION.

309 (6) (a) The second page of the notice shall state the
310 parcel's market value and for each taxing authority that levies
311 an ad valorem tax against the parcel:

312 1. The assessed value, value of exemptions, and taxable
313 value for the previous year and the current year.

314 2. Each assessment reduction and exemption applicable to
315 the property, including the value of the assessment reduction or
316 exemption and tax levies to which they apply.

317 (b) The reverse side of the second page shall contain
318 definitions and explanations for the values included on the
319 front side.

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320 (7) The following statement shall appear after the values
 321 listed on the front of the second page:

322
 323 If you feel that the market value of your property is inaccurate
 324 or does not reflect fair market value, or if you are entitled to
 325 an exemption or classification that is not reflected above,
 326 contact your county property appraiser at ...(phone number)...
 327 or ...(location)....

328 If the property appraiser's office is unable to resolve the
 329 matter as to market value, classification, or an exemption, you
 330 may file a petition for adjustment with the Value Adjustment
 331 Board. Petition forms are available from the county property
 332 appraiser and must be filed ON OR BEFORE ...(date)....

333 (8) The reverse side of the first page of the form shall
 334 read:

335 EXPLANATION

336
 337 *COLUMN 1—"YOUR PROPERTY TAXES LAST YEAR"
 338 This column shows the taxes that applied last year to your
 339 property. These amounts were based on budgets adopted last year
 340 and your property's previous taxable value.

341 *COLUMN 2—"YOUR TAXES IF NO BUDGET CHANGE IS ADOPTED"
 342 This column shows what your taxes will be this year IF EACH
 343 TAXING AUTHORITY DOES NOT CHANGE ITS PROPERTY TAX LEVY. These
 344 amounts are based on last year's budgets and your current
 345 assessment.

346 *COLUMN 3—"YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED"
 347 This column shows what your taxes will be this year under the
 348 BUDGET ACTUALLY PROPOSED by each local taxing authority. The

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349 proposal is NOT final and may be amended at the public hearings
 350 shown on the front side of this notice. The difference between
 351 columns 2 and 3 is the tax change proposed by each local taxing
 352 authority and is NOT the result of higher assessments.

353
 354 *Note: Amounts shown on this form do NOT reflect early payment
 355 discounts you may have received or may be eligible to receive.
 356 (Discounts are a maximum of 4 percent of the amounts shown on
 357 this form.)

358 (9) The bottom portion of the notice shall further read in
 359 bold, conspicuous print:

360
 361 "Your final tax bill may contain non-ad valorem assessments
 362 which may not be reflected on this notice such as assessments
 363 for roads, fire, garbage, lighting, drainage, water, sewer, or
 364 other governmental services and facilities which may be levied
 365 by your county, city, or any special district."

366 (10) (a) If requested by the local governing board levying
 367 non-ad valorem assessments and agreed to by the property
 368 appraiser, the notice specified in this section may contain a
 369 notice of proposed or adopted non-ad valorem assessments. If so
 370 agreed, the notice shall be titled:

371
 372 NOTICE OF PROPOSED PROPERTY TAXES
 373 AND PROPOSED OR ADOPTED
 374 NON-AD VALOREM ASSESSMENTS
 375 DO NOT PAY—THIS IS NOT A BILL

376
 377 There must be a clear partition between the notice of proposed

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378 property taxes and the notice of proposed or adopted non-ad
379 valorem assessments. The partition must be a bold, horizontal
380 line approximately 1/8-inch thick. By rule, the department shall
381 provide a format for the form of the notice of proposed or
382 adopted non-ad valorem assessments which meets the following
383 minimum requirements:

384 1. There must be subheading for columns listing the levying
385 local governing board, with corresponding assessment rates
386 expressed in dollars and cents per unit of assessment, and the
387 associated assessment amount.

388 2. The purpose of each assessment must also be listed in
389 the column listing the levying local governing board if the
390 purpose is not clearly indicated by the name of the board.

391 3. Each non-ad valorem assessment for each levying local
392 governing board must be listed separately.

393 4. If a county has too many municipal service benefit units
394 or assessments to be listed separately, it shall combine them by
395 function.

396 5. A brief statement outlining the responsibility of the
397 tax collector and each levying local governing board as to any
398 non-ad valorem assessment must be provided on the form,
399 accompanied by directions as to which office to contact for
400 particular questions or problems.

401 (b) If the notice includes all adopted non-ad valorem
402 assessments, the provisions contained in subsection (9) shall
403 not be placed on the notice.

404 Section 6. Section 648.421, Florida Statutes, is amended to
405 read:

406 648.421 Notice of change of address or telephone number.—

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407 Each licensee under this chapter shall notify in writing the
408 department, insurer, managing general agent, and the clerk of
409 each court in which the licensee is registered within 10 working
410 days after a change in the licensee's principal business
411 address, e-mail address, or telephone number. The licensee shall
412 also notify the department within 10 working days after a change
413 of the name, address, or telephone number of each agency or firm
414 for which he or she writes bonds and any change in the
415 licensee's name, home address, e-mail address, or telephone
416 number.

417 Section 7. Subsection (3) of section 648.43, Florida
418 Statutes, is amended to read:

419 648.43 Power of attorney; to be approved by department;
420 filing of copies; notification of transfer bond.—

421 (3) Every bail bond agent who executes or countersigns a
422 transfer bond shall indicate in writing on the bond the name,
423 and address, and e-mail address of the referring bail bond
424 agent.

425 Section 8. Paragraph (b) of subsection (1) of section
426 648.44, Florida Statutes, is amended to read:

427 648.44 Prohibitions; penalty.—

428 (1) A bail bond agent or temporary bail bond agent may not:

429 (b) Directly or indirectly solicit business in or on the
430 property or grounds of a jail, prison, or other place where
431 prisoners are confined or in or on the property or grounds of
432 any court. The term "solicitation" includes the distribution of
433 business cards, print advertising, or other written or oral
434 information directed to prisoners or potential indemnitors,
435 unless a request is initiated by the prisoner or a potential

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436 indemnitor. Permissible print advertising in the jail is
437 strictly limited to a listing in a telephone directory and the
438 posting of the bail bond agent's or agency's name, address, e-
439 mail address, and telephone number in a designated location
440 within the jail.

441 Section 9. Section 903.012, Florida Statutes, is created to
442 read:

443 903.012 Posting and transmittal of bonds.—Bonds may be
444 posted in person or electronically at the election of the
445 receiving agency. Bonds may be transmitted electronically
446 between the sheriff's office and the office of the clerk of
447 court.

448 Section 10. Section 903.101, Florida Statutes, is amended
449 to read:

450 903.101 Sureties; licensed persons; to have equal access.—
451 Subject to rules adopted by the Department of Financial Services
452 and by the Financial Services Commission, every surety who meets
453 the requirements of ss. 903.05, 903.06, 903.08, and 903.09, and
454 every person who is currently licensed by the Department of
455 Financial Services and registered as required by s. 648.42 shall
456 have equal access to the jails of this state for the purpose of
457 making bonds either in person or electronically.

458 Section 11. Subsection (1) of section 903.14, Florida
459 Statutes, is amended to read:

460 903.14 Contracts to indemnify sureties.—

461 (1) A surety shall file with the bond an affidavit stating
462 the amount and source of any security or consideration which the
463 surety or anyone for his or her use has received or been
464 promised for the bond. The affidavit shall be filed in the same

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465 manner as the bond.

466 Section 12. Paragraph (b) of subsection (1), paragraph (a)
467 of subsection (2), and subsection (3) of section 903.26, Florida
468 Statutes, are amended to read:

469 903.26 Forfeiture of the bond; when and how directed;
470 discharge; how and when made; effect of payment.—

471 (1) A bail bond shall not be forfeited unless:

472 (b) The clerk of court gave the surety at least 72 hours'
473 notice, exclusive of Saturdays, Sundays, and holidays, before
474 the time of the required appearance of the defendant. Notice
475 shall not be necessary if the time for appearance is within 72
476 hours from the time of arrest, or if the time is stated on the
477 bond. Such notice may be mailed or electronically transmitted.

478 (2) (a) If there is a breach of the bond, the court shall
479 declare the bond and any bonds or money deposited as bail
480 forfeited. The clerk of the court shall mail or electronically
481 transmit a notice to the surety agent and surety company ~~in~~
482 ~~writing~~ within 5 days after ~~of~~ the forfeiture. A certificate
483 signed by the clerk of the court or the clerk's designee,
484 certifying that the notice required herein was mailed or
485 electronically transmitted on a specified date and accompanied
486 by a copy of the required notice, shall constitute sufficient
487 proof that such mailing or electronic transmission was properly
488 accomplished as indicated therein. If such mailing or electronic
489 transmission was properly accomplished as evidenced by such
490 certificate, the failure of the surety agent, of a company, or
491 of a defendant to receive such ~~mail~~ notice shall not constitute
492 a defense to such forfeiture and shall not be grounds for
493 discharge, remission, reduction, set aside, or continuance of

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494 such forfeiture. The forfeiture shall be paid within 60 days of
495 the date the notice was mailed or electronically transmitted.

496 (3) Sixty days after the forfeiture notice has been mailed
497 or electronically transmitted:

498 (a) State and county officials having custody of forfeited
499 money shall deposit the money in the fine and forfeiture fund
500 established pursuant to s. 142.01.~~†~~

501 (b) Municipal officials having custody of forfeited money
502 shall deposit the money in a designated municipal fund.~~†~~

503 (c) Officials having custody of bonds as authorized by s.
504 903.16 shall transmit the bonds to the clerk of the circuit
505 court who shall sell them at market value and disburse the
506 proceeds as provided in paragraphs (a) and (b).

507 Section 13. Subsections (1), (2), and (6) of section
508 903.27, Florida Statutes, are amended to read:

509 903.27 Forfeiture to judgment.—

510 (1) If the forfeiture is not paid or discharged by order of
511 a court of competent jurisdiction within 60 days and the bond is
512 secured other than by money and bonds authorized in s. 903.16,
513 the clerk of the circuit court for the county where the order
514 was made shall enter a judgment against the surety for the
515 amount of the penalty and issue execution. However, in any case
516 in which the bond forfeiture has been discharged by the court of
517 competent jurisdiction conditioned upon the payment by the
518 surety of certain costs or fees as allowed by statute, the
519 amount for which judgment may be entered may not exceed the
520 amount of the unpaid fees or costs upon which the discharge had
521 been conditioned. Judgment for the full amount of the forfeiture
522 shall not be entered if payment of a lesser amount will satisfy

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523 the conditions to discharge the forfeiture. Within 10 days, the
524 clerk shall furnish the Department of Financial Services and the
525 Office of Insurance Regulation of the Financial Services
526 Commission with a certified copy of the judgment docket and
527 shall furnish the surety company at its home office a copy of
528 the judgment, which shall include the power of attorney number
529 of the bond and the name of the executing agent. If the judgment
530 is not paid within 35 days, the clerk shall furnish the
531 Department of Financial Services, the Office of Insurance
532 Regulation, and the sheriff of the county in which the bond was
533 executed, or the official responsible for operation of the
534 county jail, if other than the sheriff, two copies of the
535 judgment and a certificate stating that the judgment remains
536 unsatisfied. When and if the judgment is properly paid or an
537 order to vacate the judgment has been entered by a court of
538 competent jurisdiction, the clerk shall immediately notify the
539 sheriff, or the official responsible for the operation of the
540 county jail, if other than the sheriff, and the Department of
541 Financial Services and the Office of Insurance Regulation, if
542 the department and office had been previously notified of
543 nonpayment, of such payment or order to vacate the judgment. The
544 clerk may furnish documents or give notice as required in this
545 subsection by mail or electronic means. The clerk shall also
546 immediately prepare and record in the public records a
547 satisfaction of the judgment or record the order to vacate
548 judgment. If the defendant is returned to the county of
549 jurisdiction of the court, whenever a motion to set aside the
550 judgment is filed, the operation of this section is tolled until
551 the court makes a disposition of the motion.

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552 (2) A certificate signed by the clerk of the court or her
553 or his designee, certifying that the notice required in
554 subsection (1) was mailed or electronically delivered on a
555 specified date, and accompanied by a copy of the required notice
556 constitutes sufficient proof that such mailing or electronic
557 delivery was properly accomplished as indicated therein. If such
558 mailing or electronic delivery was properly accomplished as
559 evidenced by such certificate, the failure of a company to
560 receive a copy of the judgment as prescribed in subsection (1)
561 does not constitute a defense to the forfeiture and is not a
562 ground for the discharge, remission, reduction, set-aside, or
563 continuance of such forfeiture.

564 ~~(6) The failure of a state attorney to file, or of the~~
565 ~~clerk of the circuit court to make, a certified copy of the~~
566 ~~order of forfeiture as required by law applicable prior to July~~
567 ~~1, 1982, shall not invalidate any judgment entered by the clerk~~
568 ~~prior to June 12, 1981.~~

569 Section 14. Subsection (1) of section 903.31, Florida
570 Statutes, is amended to read:

571 903.31 Canceling the bond.—

572 (1) Within 10 business days after the conditions of a bond
573 have been satisfied or the forfeiture discharged or remitted,
574 the court shall order the bond canceled and, if the surety has
575 attached a certificate of cancellation to the original bond, the
576 clerk of the court shall mail or electronically furnish an
577 executed certificate of cancellation to the surety without cost.
578 An adjudication of guilt or innocence, an acquittal, or a
579 withholding of an adjudication of guilt shall satisfy the
580 conditions of the bond. The original appearance bond shall

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581 expire 36 months after such bond has been posted for the release
582 of the defendant from custody. This subsection does not apply to
583 cases in which a bond has been declared forfeited.

584 Section 15. Subsection (2) of section 903.36, Florida
585 Statutes, is amended to read:

586 903.36 Guaranteed arrest bond certificates as cash bail.—

587 (2) The execution of a bail bond by a licensed general
588 lines agent of a surety insurer for the automobile club or
589 association member identified in the guaranteed traffic arrest
590 bond certificate, as provided in s. 627.758(4), shall be
591 accepted as bail in an amount not to exceed \$5,000 for the
592 appearance of the person named in the certificate in any court
593 to answer for the violation of a provision of chapter 316 or a
594 similar traffic law or ordinance, except driving under the
595 influence of alcoholic beverages, chemical substances, or
596 controlled substances, as prohibited by s. 316.193. Presentation
597 of the guaranteed traffic arrest bond certificate and a power of
598 attorney from the surety insurer for its licensed general lines
599 agents is authorization for such agent to execute the bail bond.
600 Presentation may be made in person or by electronic means.

601 Section 16. This act shall take effect July 1, 2013.