



363208

LEGISLATIVE ACTION

Senate

House

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The Conference Committee on SB 1512 recommended the following:

1           **Senate Conference Committee Amendment (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

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

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

12           11.90 Legislative Budget Commission.—

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



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

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

19 (c) Review and approve, disapprove, or amend and approve  
20 the budget of the Florida Clerks of Court Operations  
21 Corporation.

22 (d) Review and approve, disapprove, or amend and approve  
23 the total combined budgets of the clerks of the court or the  
24 budget of any individual clerk of the court for court-related  
25 functions. As part of this review the commission shall consider  
26 the workload and expense data submitted pursuant to s. 28.35.

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

30 Section 3. Paragraph (a) of subsection (1) of section  
31 28.241, Florida Statutes, is amended to read:

32 28.241 Filing fees for trial and appellate proceedings.—

33 (1) Filing fees are due at the time a party files a  
34 pleading to initiate a proceeding or files a pleading for  
35 relief. Reopen fees are due at the time a party files a pleading  
36 to reopen a proceeding if at least 90 days have elapsed since  
37 the filing of a final order or final judgment with the clerk. If  
38 a fee is not paid upon the filing of the pleading as required  
39 under this section, the clerk shall pursue collection of the fee  
40 pursuant to s. 28.246.

41 (a)1.a. Except as provided in sub-subparagraph b. and  
42 subparagraph 2., the party instituting any civil action, suit,



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43 or proceeding in the circuit court shall pay to the clerk of  
44 that court a filing fee of up to \$395 in all cases in which  
45 there are not more than five defendants and an additional filing  
46 fee of up to \$2.50 for each defendant in excess of five. Of the  
47 first \$200 ~~\$280~~ in filing fees, ~~\$80 must be remitted by the~~  
48 ~~clerk to the Department of Revenue for deposit into the General~~  
49 ~~Revenue Fund,~~ \$195 must be remitted to the Department of Revenue  
50 for deposit into the State Courts Revenue Trust Fund, \$4 ~~\$3.50~~  
51 must be remitted to the Department of Revenue for deposit into  
52 the Administrative Clerks of the Court Trust Fund within the  
53 Department of Financial Services ~~Justice Administrative~~  
54 ~~Commission~~ and used to fund the contract with the Florida Clerks  
55 of Court Operations Corporation created in s. 28.35, and \$1  
56 ~~\$1.50~~ must be remitted to the Department of Revenue for deposit  
57 into the Administrative Trust Fund within the Department of  
58 Financial Services to fund audits of individual clerks' court-  
59 related expenditures ~~clerk budget reviews~~ conducted by the  
60 Department of Financial Services. By the 10th of each month, the  
61 clerk shall submit that portion of the filing fees collected in  
62 the previous month which is in excess of one-twelfth of the  
63 clerk's total budget ~~One third of any filing fees collected by~~  
64 ~~the clerk of the circuit court in excess of \$100 must be~~  
65 ~~remitted~~ to the Department of Revenue for deposit into the  
66 Clerks of the Court Trust Fund ~~within the Justice Administrative~~  
67 ~~Commission.~~

68 b. The party instituting any civil action, suit, or  
69 proceeding in the circuit court under chapter 39, chapter 61,  
70 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
71 753 shall pay to the clerk of that court a filing fee of up to



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72 \$295 in all cases in which there are not more than five  
73 defendants and an additional filing fee of up to \$2.50 for each  
74 defendant in excess of five. Of the first \$100 ~~\$180~~ in filing  
75 fees, ~~\$80 must be remitted by the clerk to the Department of~~  
76 ~~Revenue for deposit into the General Revenue Fund,~~ \$95 must be  
77 remitted to the Department of Revenue for deposit into the State  
78 Courts Revenue Trust Fund, \$4 ~~\$3.50~~ must be remitted to the  
79 Department of Revenue for deposit into the Administrative Clerks  
80 ~~of the Court~~ Trust Fund within the Department of Financial  
81 Services ~~Justice Administrative Commission~~ and used to fund the  
82 contract with the Florida Clerks of Court Operations Corporation  
83 created in s. 28.35, and \$1 ~~\$1.50~~ must be remitted to the  
84 Department of Revenue for deposit into the Administrative Trust  
85 Fund within the Department of Financial Services to fund audits  
86 of individual clerks' court-related expenditures ~~clerk budget~~  
87 ~~reviews~~ conducted by the Department of Financial Services.

88 c. An additional filing fee of \$4 shall be paid to the  
89 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
90 for deposit into the Court Education Trust Fund and shall remit  
91 50 cents to the Department of Revenue for deposit into the  
92 Administrative Clerks of the Court Trust Fund within the  
93 Department of Financial Services ~~Justice Administrative~~  
94 ~~Commission~~ to fund clerk education provided by the Florida  
95 Clerks of Court Operations Corporation. An additional filing fee  
96 of up to \$18 shall be paid by the party seeking each severance  
97 that is granted. The clerk may impose an additional filing fee  
98 of up to \$85 for all proceedings of garnishment, attachment,  
99 replevin, and distress. Postal charges incurred by the clerk of  
100 the circuit court in making service by certified or registered



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101 mail on defendants or other parties shall be paid by the party  
102 at whose instance service is made. Additional fees, charges, or  
103 costs may not be added to the filing fees imposed under this  
104 section, except as authorized in this section or by general law.

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

109 b. A party shall estimate in writing the amount in  
110 controversy of the claim upon filing the action. For purposes of  
111 this subparagraph, the value of a mortgage foreclosure action is  
112 based upon the principal due on the note secured by the  
113 mortgage, plus interest owed on the note and any moneys advanced  
114 by the lender for property taxes, insurance, and other advances  
115 secured by the mortgage, at the time of filing the foreclosure.  
116 The value shall also include the value of any tax certificates  
117 related to the property. In stating the value of a mortgage  
118 foreclosure claim, a party shall declare in writing the total  
119 value of the claim, as well as the individual elements of the  
120 value as prescribed in this sub-subparagraph.

121 c. In its order providing for the final disposition of the  
122 matter, the court shall identify the actual value of the claim.  
123 The clerk shall adjust the filing fee if there is a difference  
124 between the estimated amount in controversy and the actual value  
125 of the claim and collect any additional filing fee owed or  
126 provide a refund of excess filing fee paid.

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

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



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130 there are not more than five defendants. The party shall pay an  
131 additional filing fee of up to \$2.50 for each defendant in  
132 excess of five. Of the first \$200 ~~\$280~~ in filing fees, \$195 ~~\$275~~  
133 must be remitted by the clerk to the Department of Revenue for  
134 deposit into the General Revenue Fund, \$4 ~~\$3.50~~ must be remitted  
135 to the Department of Revenue for deposit into the Administrative  
136 ~~Clerks of the Court~~ Trust Fund within the Department of  
137 Financial Services ~~Justice Administrative Commission~~ and used to  
138 fund the contract with the Florida Clerks of Court Operations  
139 Corporation created in s. 28.35, and \$1 ~~\$1.50~~ must be remitted  
140 to the Department of Revenue for deposit into the Administrative  
141 Trust Fund within the Department of Financial Services to fund  
142 audits of individual clerks' court-related expenditures ~~clerk~~  
143 ~~budget reviews~~ conducted by the Department of Financial  
144 Services;

145 (II) Nine hundred dollars in all cases in which the value  
146 of the claim is more than \$50,000 but less than \$250,000 and in  
147 which there are not more than five defendants. The party shall  
148 pay an additional filing fee of up to \$2.50 for each defendant  
149 in excess of five. Of the first \$705 ~~\$785~~ in filing fees, \$700  
150 ~~\$780~~ must be remitted by the clerk to the Department of Revenue  
151 for deposit into the General Revenue Fund, \$4 ~~\$3.50~~ must be  
152 remitted to the Department of Revenue for deposit into the  
153 Administrative Clerks of the Court Trust Fund within the  
154 Department of Financial Services ~~Justice Administrative~~  
155 ~~Commission~~ and used to fund the contract with the Florida Clerks  
156 of Court Operations Corporation created ~~described~~ in s. 28.35,  
157 and \$1 ~~\$1.50~~ must be remitted to the Department of Revenue for  
158 deposit into the Administrative Trust Fund within the Department



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159 of Financial Services to fund audits of individual clerks'  
160 court-related expenditures ~~clerk budget reviews~~ conducted by the  
161 Department of Financial Services; or

162 (III) One thousand nine hundred dollars in all cases in  
163 which the value of the claim is \$250,000 or more and in which  
164 there are not more than five defendants. The party shall pay an  
165 additional filing fee of up to \$2.50 for each defendant in  
166 excess of five. Of the first \$1,705 ~~\$1,785~~ in filing fees, \$930  
167 ~~\$1,010~~ must be remitted by the clerk to the Department of  
168 Revenue for deposit into the General Revenue Fund, \$770 must be  
169 remitted to the Department of Revenue for deposit into the State  
170 Courts Revenue Trust Fund, \$4 ~~\$3.50~~ must be remitted to the  
171 Department of Revenue for deposit into the Administrative Clerks  
172 ~~of the Court~~ Trust Fund within the Department of Financial  
173 Services ~~Justice Administrative Commission~~ to fund the contract  
174 with the Florida Clerks of Court Operations Corporation created  
175 in s. 28.35, and \$1 ~~\$1.50~~ must be remitted to the Department of  
176 Revenue for deposit into the Administrative Trust Fund within  
177 the Department of Financial Services to fund audits of  
178 individual clerks' court-related expenditures ~~clerk budget~~  
179 ~~reviews~~ conducted by the Department of Financial Services.

180 e. An additional filing fee of \$4 shall be paid to the  
181 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
182 for deposit into the Court Education Trust Fund and shall remit  
183 50 cents to the Department of Revenue for deposit into the  
184 Administrative Clerks of the Court Trust Fund within the  
185 Department of Financial Services ~~Justice Administrative~~  
186 ~~Commission~~ to fund clerk education provided by the Florida  
187 Clerks of Court Operations Corporation. An additional filing fee



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188 of up to \$18 shall be paid by the party seeking each severance  
189 that is granted. The clerk may impose an additional filing fee  
190 of up to \$85 for all proceedings of garnishment, attachment,  
191 replevin, and distress. Postal charges incurred by the clerk of  
192 the circuit court in making service by certified or registered  
193 mail on defendants or other parties shall be paid by the party  
194 at whose instance service is made. Additional fees, charges, or  
195 costs may not be added to the filing fees imposed under this  
196 section, except as authorized in this section or by general law.

197 Section 4. Effective upon this act becoming a law, s.  
198 28.2455, Florida Statutes, is repealed.

199 Section 5. Paragraph (b) of subsection (5) of section  
200 28.246, Florida Statutes, is amended to read:

201 28.246 Payment of court-related fines or other monetary  
202 penalties, fees, charges, and costs; partial payments;  
203 distribution of funds.—

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

207 (b) That portion of fees, service charges, court costs, and  
208 fines required to be retained by the clerk of the court or  
209 deposited into the Clerks of the Court Trust Fund within the  
210 Department of Revenue ~~Justice Administrative Commission~~.

211  
212 To offset processing costs, clerks may impose either a per-month  
213 service charge pursuant to s. 28.24(26) (b) or a one-time  
214 administrative processing service charge at the inception of the  
215 payment plan pursuant to s. 28.24(26) (c).

216 Section 6. Section 28.35, Florida Statutes, is amended to





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217 read:

218 28.35 Florida Clerks of Court Operations Corporation.—

219 (1) (a) The Florida Clerks of Court Operations Corporation  
220 is created as a public corporation organized to perform the  
221 functions specified in this section and s. 28.36 ~~and shall be~~  
222 ~~administratively housed within the Justice Administrative~~  
223 ~~Commission. The corporation shall be a budget entity within the~~  
224 ~~Justice Administrative Commission, and its employees shall be~~  
225 ~~considered state employees. The corporation is not subject to~~  
226 ~~control, supervision, or direction by the Justice Administrative~~  
227 ~~Commission in the performance of its duties, but the employees~~  
228 ~~of the corporation shall be governed by the classification plan~~  
229 ~~and salary and benefits plan of the Justice Administrative~~  
230 ~~Commission. The classification plan must have a separate chapter~~  
231 ~~for the corporation.~~ All clerks of the circuit court shall be  
232 members of the corporation and hold their position and authority  
233 in an ex officio capacity. The functions assigned to the  
234 corporation shall be performed by an executive council pursuant  
235 to the plan of operation approved by the members.

236 (b) The executive council shall be composed of eight clerks  
237 of the court elected by the clerks of the courts for a term of 2  
238 years, with two clerks from counties with a population of fewer  
239 than 100,000, two clerks from counties with a population of at  
240 least 100,000 but fewer than 500,000, two clerks from counties  
241 with a population of at least 500,000 but fewer than 1 million,  
242 and two clerks from counties with a population of more than 1  
243 million. The executive council shall also include, as ex officio  
244 members, a designee of the President of the Senate and a  
245 designee of the Speaker of the House of Representatives. The



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246 Chief Justice of the Supreme Court shall designate one  
247 additional member to represent the state courts system.

248 (c) The corporation shall be considered a political  
249 subdivision of the state and shall be exempt from the corporate  
250 income tax. The corporation is not subject to ~~the provisions of~~  
251 chapter 120.

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

255 (2) The duties of the corporation shall include the  
256 following:

257 (a) Adopting a plan of operation.

258 (b) Conducting the election of an executive council  
259 ~~directors~~ as required in paragraph (1) (b) ~~(1) (a)~~.

260 (c) Recommending to the Legislature changes in the amounts  
261 of the various court-related fines, fees, service charges, and  
262 ~~court~~ costs established by law to ensure reasonable and adequate  
263 funding of the clerks of the court in the performance of their  
264 court-related functions.

265 (d) Developing and certifying a uniform system of workload  
266 ~~performance~~ measures and applicable workload ~~performance~~  
267 standards for court-related functions as developed by the  
268 corporation ~~the functions specified in paragraph (3) (a)~~ and the  
269 ~~service unit costs required in s. 28.36 and measures for~~ clerk  
270 workload performance in meeting the workload performance  
271 standards. These workload measures and workload performance  
272 standards shall be designed to facilitate an objective  
273 determination of the performance of each clerk in accordance  
274 with minimum standards for fiscal management, operational



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275 efficiency, and effective collection of fines, fees, service  
276 charges, and court costs. The corporation shall develop the  
277 workload performance measures and workload performance standards  
278 in consultation with the Legislature ~~and the Supreme Court~~. The  
279 Legislature ~~may modify the clerk performance measures and~~  
280 ~~performance standards in legislation implementing the General~~  
281 ~~Appropriations Act or other law~~. When the corporation finds a  
282 clerk has not met the workload performance standards, the  
283 corporation shall identify the nature of each deficiency and any  
284 corrective action recommended and taken by the affected clerk of  
285 the court. The corporation shall notify the Legislature ~~and the~~  
286 ~~Supreme Court~~ of any clerk not meeting workload performance  
287 standards and provide a copy of any corrective action plans. As  
288 used in this subsection, the term:

289 1. "Workload measures" means the measurement of the  
290 activities and frequency of the work required for the clerk to  
291 adequately perform the court-related duties of the office as  
292 defined by the membership of the Florida Clerks of Court  
293 Operations Corporation.

294 2. "Workload performance standards" means the standards  
295 developed to measure the timeliness and effectiveness of the  
296 activities that are accomplished by the clerk in the performance  
297 of the court-related duties of the office as defined by the  
298 membership of the Florida Clerks of Court Operations  
299 Corporation.

300 (e) Entering into a contract with the Department of  
301 Financial Services for the department to audit the court-related  
302 expenditures of individual clerks pursuant to s. 17.03.

303 (f) ~~(e)~~ Reviewing, certifying, and recommending proposed



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304 budgets submitted by clerks of the court pursuant to s. 28.36.  
305 As part of this process, the corporation shall:

306 1. Calculate the minimum amount of revenue necessary for  
307 each clerk of the court to efficiently perform the list of  
308 court-related functions specified in paragraph (3) (a). The  
309 corporation shall apply the workload measures appropriate for  
310 determining the individual level of review required to fund the  
311 clerk's budget.

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

316 3. Conduct an annual base budget review and an annual  
317 budget exercise examining the total budget of each clerk of the  
318 court. The review shall examine revenues from all sources,  
319 expenses of court-related functions, and expenses of noncourt-  
320 related functions as necessary to determine that court-related  
321 revenues are not being used for noncourt-related purposes. The  
322 review and exercise shall identify potential targeted budget  
323 reductions in the percentage amount provided in Schedule VIII-B  
324 of the state's previous year's legislative budget instructions,  
325 as referenced in s. 216.023(3), or an equivalent schedule or  
326 instruction as may be adopted by the Legislature.

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

330 5. Identify those clerks projected to have court-related  
331 revenues insufficient to fund their anticipated court-related  
332 expenditures



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333       6. Use revenue estimates based on the official estimate for  
334 funds accruing to the clerks of the court made by the Revenue  
335 Estimating Conference.

336       7. Identify and report pay and benefit increases in any  
337 proposed clerk budget, including, but not limited to, cost of  
338 living increases, merit increases, and bonuses.

339       8. Provide detailed explanation for increases in  
340 anticipated expenditures in any clerk budget that exceeds the  
341 current year budget by more than 3 percent.

342       9. Identify and report the budget of any clerk which  
343 exceeds the average budget of similarly situated clerks by more  
344 than ten percent.

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

346       ~~(g) Publishing a uniform schedule of actual fees, service~~  
347 ~~charges, and costs charged by a clerk of the court pursuant to~~  
348 ~~general law.~~

349       (h) Beginning August 1, 2014, and each August 1 thereafter,  
350 submitting to the Legislative Budget Commission, as provided in  
351 s. 11.90, its proposed budget and the information described in  
352 paragraph (f), as well as the proposed budgets for each clerk of  
353 the court. Before October 1 of each year beginning in 2014, the  
354 Legislative Budget Commission shall consider the submitted  
355 budgets and shall approve, disapprove, or amend and approve the  
356 corporation's budget and shall approve, disapprove, or amend and  
357 approve the total of the clerks' combined budgets or any  
358 individual clerk's budget. If the Legislative Budget Commission  
359 fails to approve or amend and approve the corporation's budget  
360 or the clerks' combined budgets before October 1, the clerk  
361 shall continue to perform the court-related functions based upon



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362 the clerk's budget for the previous county fiscal year.

363 (3) (a) The list of court-related functions that clerks may  
364 fund from filing fees, service charges, costs, and fines is  
365 ~~perform~~ are limited to those functions expressly authorized by  
366 law or court rule. Those functions include the following: case  
367 maintenance; records management; court preparation and  
368 attendance; processing the assignment, reopening, and  
369 reassignment of cases; processing of appeals; collection and  
370 distribution of fines, fees, service charges, and court costs;  
371 processing of bond forfeiture payments; payment of jurors and  
372 witnesses; payment of expenses for meals or lodging provided to  
373 jurors; data collection and reporting; processing of jurors;  
374 determinations of indigent status; and paying reasonable  
375 administrative support costs to enable the clerk of the court to  
376 carry out these court-related functions.

377 (b) The list of court-related functions that clerks may not  
378 fund from filing fees, service charges, costs, and fines  
379 includes ~~state appropriations include:~~

- 380 1. Those functions not specified within paragraph (a).
- 381 2. Functions assigned by administrative orders which are  
382 not required for the clerk to perform the functions in paragraph  
383 (a).
- 384 3. Enhanced levels of service which are not required for  
385 the clerk to perform the functions in paragraph (a).
- 386 4. Functions identified as local requirements in law or  
387 local optional programs.

388 (4) The corporation shall ~~prepare a legislative budget~~  
389 ~~request for the resources necessary to perform its duties,~~  
390 ~~submit the request pursuant to chapter 216,~~ and be funded



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391 pursuant to a contract with the Chief Financial Officer. Funds  
392 shall be provided to the Chief Financial Officer for such  
393 purpose as appropriated by general law. Such funds shall be  
394 available to the corporation for the performance of the duties  
395 and responsibilities set forth in this section ~~as a budget~~  
396 ~~entity in the General Appropriations Act.~~ The corporation shall  
397 participate in the Florida Retirement System for its eligible  
398 employees as provided in chapter 121. The corporation may hire  
399 staff and pay other expenses from such funds ~~state~~  
400 ~~appropriations~~ as necessary to perform the official duties and  
401 responsibilities of the corporation as described in this section  
402 ~~by law.~~

403 (5) Certified public accountants conducting audits of  
404 counties pursuant to s. 218.39 shall report, as part of the  
405 audit, whether ~~or not~~ the clerks of the courts have complied  
406 with the requirements of this section and s. 28.36. In addition,  
407 each clerk of court shall forward a copy of the ~~portion of the~~  
408 financial audit ~~relating to the court-related duties of the~~  
409 ~~clerk of court~~ to the Florida Clerks of Court Operations  
410 Corporation ~~Supreme Court~~. The Auditor General shall develop a  
411 compliance supplement for the audit of compliance with the  
412 budgets and applicable workload performance standards certified  
413 by the corporation.

414 Section 7. Section 28.36, Florida Statutes, is amended to  
415 read:

416 28.36 Budget procedure.—There is established a budget  
417 procedure ~~for preparing budget requests for funding~~ for the  
418 court-related functions of the clerks of the court.

419 (1) Only those functions listed in s. 28.35(3) (a) may be



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420 funded from fees, service charges, costs, and fines retained by  
421 the clerks of the court ~~Each clerk of court shall prepare a~~  
422 ~~budget request for the last quarter of the county fiscal year~~  
423 ~~and the first three quarters of the next county fiscal year. The~~  
424 ~~proposed budget shall be prepared, summarized, and submitted by~~  
425 ~~the clerk in each county to the Florida Clerks of Court~~  
426 ~~Operations Corporation in the manner and form prescribed by the~~  
427 ~~corporation to meet the requirements of law. Each clerk shall~~  
428 ~~forward a copy of his or her budget request to the Supreme~~  
429 ~~Court. The budget requests must be provided to the corporation~~  
430 ~~by October 1 of each year.~~

431 ~~(2) Each clerk shall include in his or her budget request a~~  
432 ~~projection of the amount of court-related fees, service charges,~~  
433 ~~and any other court-related clerk fees which will be collected~~  
434 ~~during the proposed budget period. If the corporation determines~~  
435 ~~that the proposed budget is limited to the standard list of~~  
436 ~~court-related functions in s. 28.35(3)(a) and the projected~~  
437 ~~court-related revenues are less than the proposed budget, the~~  
438 ~~clerk shall increase all fees, service charges, and any other~~  
439 ~~court-related clerk fees and charges to the maximum amounts~~  
440 ~~specified by law or the amount necessary to resolve the deficit,~~  
441 ~~whichever is less.~~

442 (2)(3) Each proposed budget shall further conform to the  
443 following requirements ~~clerk shall include in his or her budget~~  
444 ~~request the number of personnel and the proposed budget for each~~  
445 ~~of the following core services:~~

446 (a) On or before June 1 of each year beginning in 2014, the  
447 proposed budget shall be prepared, summarized, and submitted by  
448 the clerk in each county to the Florida Clerks of Court





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449 Operations Corporation in the manner and form prescribed by the  
450 corporation. The proposed budget must provide detailed  
451 information on the anticipated revenues available and  
452 expenditures necessary for the performance of the court-related  
453 functions listed in s. 28.35(3)(a) of the clerk's office for the  
454 county fiscal year beginning October 1.

455 (b) The proposed budget must be balanced such that the  
456 total of the estimated revenues available equals or exceeds the  
457 total of the anticipated expenditures. Such revenues include  
458 revenue projected to be received from fees, service charges,  
459 costs, and fines for court-related functions during the fiscal  
460 period covered by the budget. The anticipated expenditures must  
461 be itemized as required by the corporation.

- 462 ~~(a) Circuit criminal.~~
- 463 ~~(b) County criminal.~~
- 464 ~~(c) Juvenile delinquency.~~
- 465 ~~(d) Criminal traffic.~~
- 466 ~~(e) Circuit civil.~~
- 467 ~~(f) County civil.~~
- 468 ~~(g) Civil traffic.~~
- 469 ~~(h) Probate.~~
- 470 ~~(i) Family.~~
- 471 ~~(j) Juvenile dependency.~~

472  
473 ~~Central administrative costs shall be allocated among the core~~  
474 ~~services categories.~~

475 (3) If a clerk of the court estimates that available funds  
476 plus projected revenues from fines, fees, service charges, and  
477 costs for court-related services are insufficient to meet the



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478 anticipated expenditures for the standard list of court-related  
479 functions in s. 28.35(3) (a) performed by his or her office, the  
480 clerk must report the revenue deficit to the corporation in the  
481 manner and form prescribed by the corporation. The corporation  
482 shall verify that the proposed budget is limited to the standard  
483 list of court-related functions in s. 28.35(3) (a). If the  
484 corporation verifies that a revenue deficit is projected, the  
485 corporation shall certify a revenue deficit and notify the  
486 Department of Revenue that the clerk is authorized to retain  
487 revenues, in an amount necessary to fully fund the projected  
488 revenue deficit, which he or she would otherwise be required to  
489 remit to the Department of Revenue for deposit into the  
490 department's Clerks of the Court Trust Fund pursuant to s.  
491 28.37. If a revenue deficit is projected for that clerk after  
492 retaining all of the projected collections from the court-  
493 related fines, fees, service charges, and costs, the corporation  
494 shall certify the amount of the revenue deficit to the Executive  
495 Office of the Governor and request release authority for funds  
496 from the department's Clerks of the Court Trust Fund.  
497 Notwithstanding s. 216.192 relating to the release of funds, the  
498 Executive Office of the Governor may approve the release of  
499 funds in accordance with the notice, review, and objection  
500 procedures set forth in s. 216.177 and shall provide notice to  
501 the Department of Revenue and the Chief Financial Officer. The  
502 Department of Revenue shall request monthly distributions from  
503 the Chief Financial Officer in equal amounts to each clerk  
504 certified to have a revenue deficit, in accordance with the  
505 releases approved by the Governor.

506 (4) The Legislative Budget Commission may approve increases



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507 or decreases to the previously authorized budgets approved for  
508 individual clerks of the court pursuant to s. 28.35 for court-  
509 related functions, if:

510 (a) The additional budget authority is necessary to pay the  
511 cost of performing new or additional functions required by  
512 changes in law or court rule; or

513 (b) The additional budget authority is necessary to pay the  
514 cost of supporting increases in the number of judges or  
515 magistrates authorized by the Legislature.

516 ~~(4) The budget request must identify the service units to~~  
517 ~~be provided within each core service. The service units shall be~~  
518 ~~developed by the corporation, in consultation with the Supreme~~  
519 ~~Court, the Chief Financial Officer, and the appropriations~~  
520 ~~committees of the Senate and the House of Representatives.~~

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

524 ~~(6) The corporation shall review each individual clerk's~~  
525 ~~prior year expenditures, projected revenue, proposed unit costs,~~  
526 ~~and the proposed budget for each of the core services~~  
527 ~~categories. The corporation shall compare each clerk's prior-~~  
528 ~~year expenditures and unit costs for core services with a peer~~  
529 ~~group of clerks' offices having a population of a similar size~~  
530 ~~and a similar number of case filings. If the corporation finds~~  
531 ~~that the expenditures, unit costs, or proposed budget of a clerk~~  
532 ~~is significantly higher than those of clerks in that clerk's~~  
533 ~~peer group, the corporation shall require the clerk to submit~~  
534 ~~documentation justifying the difference in each core services~~  
535 ~~category. Justification for higher expenditures may include, but~~



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536 ~~is not limited to, collective bargaining agreements, county~~  
537 ~~civil service agreements, and the number and distribution of~~  
538 ~~courthouses served by the clerk. If the expenditures and unit~~  
539 ~~costs are not justified, the corporation shall recommend a~~  
540 ~~reduction in the funding for that core-services category in the~~  
541 ~~budget request to an amount similar to the peer group of clerks~~  
542 ~~or to an amount that the corporation determines is justified.~~

543 ~~(7) The corporation shall complete its review and~~  
544 ~~adjustments to the clerks' budget requests and make its~~  
545 ~~recommendations to the Legislature and the Supreme Court by~~  
546 ~~December 1 each year.~~

547 ~~(8) The Chief Financial Officer shall review the proposed~~  
548 ~~unit costs associated with each clerk of court's budget request~~  
549 ~~and make recommendations to the Legislature. The Chief Financial~~  
550 ~~Officer may conduct any audit of the corporation or a clerk of~~  
551 ~~court as authorized by law. The Chief Justice of the Supreme~~  
552 ~~Court may request an audit of the corporation or any clerk of~~  
553 ~~court by the Chief Financial Officer.~~

554 ~~(9) The Legislature shall appropriate the total amount for~~  
555 ~~the budgets of the clerks in the General Appropriations Act. The~~  
556 ~~Legislature may reject or modify any or all of the unit costs~~  
557 ~~recommended by the corporation. If the Legislature does not~~  
558 ~~specify the unit costs in the General Appropriations Act or~~  
559 ~~other law, the unit costs recommended by the corporation shall~~  
560 ~~be the official unit costs for that budget period.~~

561 ~~(10) (a) Beginning in the 2010-2011 fiscal year, the~~  
562 ~~corporation shall release appropriations to each clerk~~  
563 ~~quarterly. If funds in the Clerks of Court Trust Fund are~~  
564 ~~insufficient to provide a release in a quarter in a single~~



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565 ~~release, the corporation may release partial amounts for that~~  
566 ~~quarter so long as the total of those partial amounts does not~~  
567 ~~exceed that quarter's release. If funds in the Clerks of Court~~  
568 ~~Trust Fund are insufficient for the first quarter release, the~~  
569 ~~corporation may make a request to the Governor for a trust fund~~  
570 ~~loan pursuant to chapter 215. The amount of the first three~~  
571 ~~releases shall be based on one quarter of the estimated budget~~  
572 ~~for each clerk as identified in the General Appropriations Act.~~

573 ~~(b) The corporation shall estimate the fourth quarter's~~  
574 ~~number of units to be performed by each clerk. The amount of the~~  
575 ~~fourth-quarter release shall be based on the approved unit cost~~  
576 ~~times the estimated number of units of the fourth quarter with~~  
577 ~~the following adjustment: the fourth-quarter release shall be~~  
578 ~~adjusted based on the first three quarter's actual number of~~  
579 ~~service units provided as reported to the corporation by each~~  
580 ~~clerk. If the clerk has performed fewer service units in the~~  
581 ~~first three quarters of the year compared to three quarters of~~  
582 ~~the estimated number of service units in the General~~  
583 ~~Appropriations Act, the corporation shall decrease the fourth-~~  
584 ~~quarter release. The amount of the decrease shall equal the~~  
585 ~~amount of the difference between the estimated number of service~~  
586 ~~units for the first three quarters and the actual number of~~  
587 ~~service units provided in the first three quarters times the~~  
588 ~~approved unit cost.~~

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

592 ~~(d) If the clerk performs fewer units in the fourth quarter~~  
593 ~~than estimated by the corporation, the corporation shall~~



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594 ~~decrease the first quarter release for the clerk in the next~~  
595 ~~fiscal year by the amount of the difference between the~~  
596 ~~estimated number of service units for the fourth quarter and the~~  
597 ~~actual number of service units performed in that quarter times~~  
598 ~~the approved unit cost.~~

599 ~~(c) The total of all releases to the clerks of court may~~  
600 ~~not exceed the amount appropriated in the General Appropriations~~  
601 ~~Act. If, during the year, the corporation determines that the~~  
602 ~~projected releases of appropriations for service units will~~  
603 ~~exceed the estimate used in the General Appropriations Act and~~  
604 ~~result in statewide expenditures greater than the amount~~  
605 ~~appropriated by law, the corporation shall reduce all service~~  
606 ~~unit costs of all clerks by the amount necessary to ensure that~~  
607 ~~service units are funded within the total amount appropriated to~~  
608 ~~the clerks of court. If such action is necessary, the~~  
609 ~~corporation shall notify the Legislative Budget Commission. If~~  
610 ~~the Legislative Budget Commission objects to the adjustments,~~  
611 ~~the Legislative Budget Commission shall adjust all service unit~~  
612 ~~costs by the amount necessary to ensure that projected units of~~  
613 ~~service are funded within the total amount appropriated to the~~  
614 ~~clerks of court at its next scheduled meeting.~~

615 ~~(11) The corporation may submit proposed legislation to the~~  
616 ~~Governor, the President of the Senate, and the Speaker of the~~  
617 ~~House of Representatives relating to the preparation of budget~~  
618 ~~requests of the clerks of court.~~

619 Section 8. Section 28.37, Florida Statutes, is amended to  
620 read:

621 28.37 Fines, fees, service charges, and costs remitted to  
622 the state.—



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

628 (2) Beginning November 1, 2013, that portion of all fines,  
629 fees, service charges, and costs collected by the clerks of the  
630 court for the previous month which is in excess of one-twelfth  
631 of the clerks' total budget for the performance of court-related  
632 functions shall be remitted to the Department of Revenue for  
633 deposit into the Clerks of the Court Trust Fund. Such  
634 collections do not include funding received for the operation of  
635 the Title IV-D child support collections and disbursement  
636 program. The clerk of the court shall remit the revenues  
637 collected during the previous month due to the state on or  
638 before the 10th day of each month.

639 (3) No later than January 25, 2015, and each January 25  
640 thereafter for the previous county fiscal year, the clerks of  
641 court, in consultation with the Florida Clerks of Court  
642 Operations Corporation, shall remit to the Department of Revenue  
643 for deposit in the General Revenue Fund the cumulative excess of  
644 all fines, fees, service charges, and costs retained by the  
645 clerks of the court, plus any funds received by the clerks of  
646 the court from the Clerks of the Court Trust Fund under s.  
647 28.36(3), which exceed the amount needed to meet their  
648 authorized budget amounts established under s. 28.35. The  
649 Department of Revenue shall transfer from the Clerks of Court  
650 Trust Fund to the General Revenue Fund the cumulative excess of  
651 all fines, fees, service charges, and costs submitted by clerks



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652 of court pursuant to subsection (2). However, if the official  
653 estimate for funds accruing to the clerks of court made by the  
654 Revenue Estimating Conference for the current fiscal year or the  
655 next fiscal year is less than the cumulative amount of  
656 authorized budgets for the clerks of court for the current  
657 fiscal year, the Department of Revenue shall retain in the  
658 Clerks of the Court Trust Fund the estimated amount needed to  
659 fully fund the clerks of court for the current and next fiscal  
660 year based upon the current budget established under s. 28.35.

661 (4) The Department of Revenue shall collect any funds that  
662 the Florida Clerks of Court Operations Corporation determines  
663 upon investigation were due but not remitted to the Department  
664 of Revenue. The corporation shall notify the clerk of the court  
665 and the Department of Revenue of the amount due to the  
666 Department of Revenue. The clerk of the court shall remit the  
667 amount due no later than the 10th day of the month following the  
668 month in which notice is provided by the corporation to the  
669 clerk of the court.

670 (5) ~~(2) Ten Except as otherwise provided in ss. 28.241 and~~  
671 ~~34.041, all court-related fines, fees, service charges, and~~  
672 ~~costs are considered state funds and shall be remitted by the~~  
673 ~~clerk to the Department of Revenue for deposit into the Clerks~~  
674 ~~of the Court Trust Fund within the Justice Administrative~~  
675 ~~Commission. However, 10 percent of all court-related fines~~  
676 ~~collected by the clerk, except for penalties or fines~~  
677 ~~distributed to counties or municipalities under s.~~  
678 ~~316.0083(1)(b)3. or s. 318.18(15)(a), shall be deposited into~~  
679 ~~the clerk's Public Records Modernization Trust Fund to be used~~  
680 ~~exclusively for additional clerk court-related operational needs~~





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681 and program enhancements.

682 Section 9. Paragraph (b) of subsection (1) of section  
683 34.041, Florida Statutes, is amended, and paragraph (a) of that  
684 subsection is republished, to read:

685 34.041 Filing fees.—

686 (1) (a) Filing fees are due at the time a party files a  
687 pleading to initiate a proceeding or files a pleading for  
688 relief. Reopen fees are due at the time a party files a pleading  
689 to reopen a proceeding if at least 90 days have elapsed since  
690 the filing of a final order or final judgment with the clerk. If  
691 a fee is not paid upon the filing of the pleading as required  
692 under this section, the clerk shall pursue collection of the fee  
693 pursuant to s. 28.246. Upon the institution of any civil action,  
694 suit, or proceeding in county court, the party shall pay the  
695 following filing fee, not to exceed:

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

697 2. For all claims of \$100 or more but not more than \$500  
698 \$75.

699 3. For all claims of more than \$500 but not more than  
700 \$2,500 \$170.

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

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

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

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

708

709 The filing fee in subparagraph 6. is the total fee due under



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710 this paragraph for that type of filing, and no other filing fee  
711 under this paragraph may be assessed against such a filing.

712 (b) ~~The first \$80 of the filing fee collected under~~  
713 ~~subparagraph (a)4. shall be remitted to the Department of~~  
714 ~~Revenue for deposit into the General Revenue Fund. The next \$15~~  
715 of the filing fee collected under subparagraph (a)4.7 and the  
716 first \$10 of the filing fee collected under subparagraph (a)7.7  
717 shall be deposited in the State Courts Revenue Trust Fund. By  
718 the 10th day of each month, the clerk shall submit that portion  
719 of the fees collected in the previous month which is in excess  
720 of one-twelfth of the clerk's total budget for the performance  
721 of court-related functions to the Department of Revenue for  
722 deposit into the Clerks of the Court Trust Fund. An additional  
723 filing fee of \$4 shall be paid to the clerk. The clerk shall  
724 transfer \$3.50 to the Department of Revenue for deposit into the  
725 Court Education Trust Fund and shall transfer 50 cents to the  
726 Department of Revenue for deposit into the Administrative Clerks  
727 ~~of the Court~~ Trust Fund within the Department of Financial  
728 Services Justice Administrative Commission to fund clerk  
729 education provided by the Florida Clerks of Court Operations  
730 Corporation. Postal charges incurred by the clerk of the county  
731 court in making service by mail on defendants or other parties  
732 shall be paid by the party at whose instance service is made.  
733 Except as provided in this section herein, filing fees and  
734 service charges for performing duties of the clerk relating to  
735 the county court shall be as provided in ss. 28.24 and 28.241.  
736 Except as otherwise provided in this section herein, all filing  
737 fees shall be retained as fee income of the office of the clerk  
738 of the circuit court ~~remitted to the Department of Revenue for~~



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739 ~~deposit into the Clerks of the Court Trust Fund within the~~  
740 ~~Justice Administrative Commission.~~ Filing fees imposed by this  
741 section may not be added to any penalty imposed by chapter 316  
742 or chapter 318.

743 Section 10. Subsection (5) of section 43.16, Florida  
744 Statutes, is amended to read:

745 43.16 Justice Administrative Commission; membership, powers  
746 and duties.—

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

749 (a) The maintenance of a central state office for  
750 administrative services and assistance when possible to and on  
751 behalf of the state attorneys and public defenders of Florida,  
752 the capital collateral regional counsel of Florida, the criminal  
753 conflict and civil regional counsel, and the Guardian Ad Litem  
754 Program, ~~and the Florida Clerks of Court Operations Corporation.~~

755 (b) Each state attorney, public defender, and criminal  
756 conflict and civil regional counsel and, ~~the Guardian Ad Litem~~  
757 ~~Program, and the Florida Clerks of Court Operations Corporation~~  
758 shall continue to prepare necessary budgets, vouchers that  
759 represent valid claims for reimbursement by the state for  
760 authorized expenses, and other things incidental to the proper  
761 administrative operation of the office, such as revenue  
762 transmittals to the Chief Financial Officer and automated  
763 systems plans, but will forward such items ~~same~~ to the  
764 commission for recording and submission to the proper state  
765 officer. However, when requested by a state attorney, a public  
766 defender, a criminal conflict and civil regional counsel, or the  
767 Guardian Ad Litem Program, the commission will either assist in



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768 the preparation of budget requests, voucher schedules, and other  
769 forms and reports or accomplish the entire project involved.

770 Section 11. Paragraph (x) of subsection (2) of section  
771 110.205, Florida Statutes, is amended to read:

772 110.205 Career service; exemptions.—

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

775 (x) All officers and employees of the Justice  
776 Administrative Commission, Office of the State Attorney, Office  
777 of the Public Defender, regional offices of capital collateral  
778 counsel, offices of criminal conflict and civil regional  
779 counsel, and Statewide Guardian Ad Litem Office, including the  
780 circuit guardian ad litem programs ~~and the Florida Clerks of  
781 Court Operations Corporation.~~

782 Section 12. Section 142.01, Florida Statutes, is amended to  
783 read:

784 142.01 Fine and forfeiture fund; disposition of revenue;  
785 clerk of the circuit court.—

786 (1) There shall be established by the clerk of the circuit  
787 court in each county of this state a separate fund to be known  
788 as the fine and forfeiture fund for use by the clerk of the  
789 circuit court in performing court-related functions. The fund  
790 shall consist of the following:

791 (a) Fines and penalties pursuant to ss. 28.2402(2),  
792 34.045(2), 316.193, 327.35, 327.72, 379.2203(1), and 775.083(1).

793 (b) That portion of civil penalties directed to this fund  
794 pursuant to s. 318.21.

795 (c) Court costs pursuant to ss. 28.2402(1)(b),  
796 34.045(1)(b), 318.14(10)(b), 318.18(11)(a), 327.73(9)(a) and



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797 (11) (a), and 938.05(3).

798 (d) Proceeds from forfeited bail bonds, unclaimed bonds,  
799 unclaimed moneys, or recognizances pursuant to ss. 321.05(4) (a),  
800 379.2203(1), and 903.26(3) (a).

801 (e) Fines and forfeitures pursuant to s. 34.191.

802 (f) Filing fees received pursuant to ss. 28.241 and 34.041,  
803 unless the disposition of such fees is otherwise required by  
804 law.

805 (g) ~~(f)~~ All other revenues received by the clerk as revenue  
806 authorized by law to be retained by the clerk.

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

813 (2) ~~(3)~~ Notwithstanding ~~the provisions of~~ this section, all  
814 fines and forfeitures arising from operation of ~~the provisions~~  
815 ~~of~~ s. 318.1215 shall be disbursed in accordance with that  
816 section.

817 Section 13. Section 213.131, Florida Statutes, is amended  
818 to read:

819 213.131 Clerks of the Court Trust Fund within the  
820 Department of Revenue ~~Justice Administrative Commission.~~—The  
821 Clerks of the Court Trust Fund is created within the Department  
822 of Revenue ~~Justice Administrative Commission.~~

823 Section 14. Subsection (2) of section 215.22, Florida  
824 Statutes, is amended to read:

825 215.22 Certain income and certain trust funds exempt.—



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826 (2) Moneys and income of a revenue nature shared with  
827 political subdivisions or received from taxes or fees authorized  
828 to be levied by any political subdivision, including moneys from  
829 service charges, fees, costs, and fines deposited into the  
830 Clerks of the Court Trust Fund within the Department of Revenue,  
831 shall be exempt from the deduction required by s. 215.20(1).

832 Section 15. Paragraph (qq) of subsection (1) of section  
833 216.011, Florida Statutes, is amended to read:

834 216.011 Definitions.—

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

838 (qq) "State agency" or "agency" means any official,  
839 officer, commission, board, authority, council, committee, or  
840 department of the executive branch of state government. For  
841 purposes of this chapter and chapter 215, "state agency" or  
842 "agency" includes, but is not limited to, state attorneys,  
843 public defenders, criminal conflict and civil regional counsel,  
844 capital collateral regional counsel, ~~the Florida Clerks of Court~~  
845 ~~Operations Corporation,~~ the Justice Administrative Commission,  
846 the Florida Housing Finance Corporation, and the Florida Public  
847 Service Commission. Solely for the purposes of implementing s.  
848 19(h), Art. III of the State Constitution, the terms "state  
849 agency" or "agency" include the judicial branch.

850 Section 16. For the period of July 1, 2013, through  
851 September 30, 2013, the clerks of the court are permitted to  
852 spend \$110,845,078 of their total collected revenues and the  
853 Florida Clerks of Court Operations Corporation is permitted to  
854 spend \$405,412 of the revenues collected to fund the



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855 corporation's contract with the Department of Financial Services  
856 pursuant to s. 27.35(4), Florida Statutes. The Florida Clerks of  
857 Court Operations Corporation shall determine budget amounts for  
858 the individual clerks for that period. For the county fiscal  
859 year beginning October 1, 2013, and ending September 30, 2014,  
860 the clerks of the court are permitted to spend \$443,380,312 of  
861 their total collected revenues and the Florida Clerks of Court  
862 Operations Corporation is permitted to spend \$1,621,648 of the  
863 revenues collected to fund the corporation's contract with the  
864 Department of Financial Services pursuant to s. 27.35(4),  
865 Florida Statutes. The Florida Clerks of Court Operations  
866 Corporation shall determine budget amounts for the individual  
867 clerks for that period.

868       Section 17. Notwithstanding the requirement in s. 28.245,  
869 Florida Statutes, that all moneys collected by the clerks of  
870 court be distributed pursuant to the law in effect at the time  
871 of collection, the modifications in the distribution of moneys  
872 made in sections 3, 9, and 12 of this act shall be applied to  
873 moneys collected during June 2013. This section shall take  
874 effect upon becoming law.

875       Section 18. Except as otherwise expressly provided in this  
876 act and except for this section, which shall take effect upon  
877 this act becoming a law, this act shall take effect July 1,  
878 2013.

879  
880 ===== T I T L E   A M E N D M E N T =====

881 And the title is amended as follows:

882       Delete everything before the enacting clause  
883 and insert:



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884                   A bill to be entitled  
885           An act relating to clerks of court; transferring the  
886           Clerks of the Court Trust Fund from the Justice  
887           Administrative Commission to the Department of  
888           Revenue; amending s. 11.90, F.S.; providing additional  
889           duties of the Legislative Budget Commission relating  
890           to clerks of court; amending s. 28.241, F.S.; revising  
891           distribution of filing fees; revising references to  
892           trust funds; repealing s. 28.2455, F.S., relating to  
893           transfer of trust funds in excess of amount needed for  
894           clerk budgets; amending s. 28.246, F.S.; conforming  
895           provisions to changes made by the act; amending s.  
896           28.35, F.S.; deleting provisions providing for the  
897           housing of the Florida Clerks of Court Operations  
898           Corporation; revising duties of the corporation;  
899           defining terms; providing requirements for annual  
900           submission of a proposed budget and related  
901           information; revising provisions concerning functions  
902           that may and may not be funded from specified sources;  
903           revising distribution of the corporation's audit  
904           report; amending s. 28.36, F.S.; specifying that only  
905           certain functions may be funded from fees, service  
906           charges, costs, and fines retained by the clerks of  
907           the court; revising provisions relating to preparation  
908           of budget requests by clerks; providing for reporting  
909           and certification of revenue deficits; providing  
910           procedures for retention of additional revenues by  
911           clerks in the event of a deficit; providing for the  
912           release of funds from a specified trust fund to





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913           relieve such a deficit in certain circumstances;  
914           providing for increases in previously authorized  
915           budgets in certain circumstances; deleting provisions  
916           relating to review of budgets and related information;  
917           amending s. 28.37, F.S.; providing that a portion of  
918           all fines, fees, service charges, and costs collected  
919           by the clerks of the court which exceeds a specified  
920           portion of the clerk's annual budget be remitted to a  
921           specified trust fund; providing for remission of  
922           certain excess collections to the department for  
923           deposit into the General Revenue Fund on specified  
924           dates; providing for deposit of such funds in a  
925           specified trust fund in certain circumstances;  
926           providing for collection of certain funds due by the  
927           department; amending s. 34.041, F.S.; conforming  
928           provisions to changes made by the act; revising  
929           distribution of certain fees; amending ss. 43.16 and  
930           110.205, F.S.; conforming provisions to changes made  
931           by the act; amending s. 142.01, F.S.; revising the  
932           funds deposited in each county's fine and forfeiture  
933           fund; deleting provisions specifying that certain  
934           moneys are considered state funds; amending s.  
935           213.131, F.S.; conforming provisions to changes made  
936           by the act; amending s. 215.22, F.S.; exempting  
937           certain moneys deposited in the Clerks of the Court  
938           Trust Fund from a specified deduction; amending s.  
939           216.011, F.S.; conforming provisions to changes made  
940           by the act; specifying the authorized budget for the  
941           clerks of the circuit court and the corporation for



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942 specified periods; requiring the corporation to  
943 determine budget amounts for the individual clerks for  
944 those periods; providing an effective date.