

By the Committee on Judiciary; and Senator Ring

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1 A bill to be entitled
2 An act relating to clerks of the court; amending s.
3 28.13, F.S.; providing requirements for the storage of
4 papers and electronic filings and requiring that they
5 be stamped with the date and time of submission;
6 requiring the clerk to retain control and custody of
7 filed documents; amending s. 28.222, F.S.; authorizing
8 the clerk to remove certain court records from the
9 Official Records; amending s. 28.24, F.S.; deleting
10 provisions exempting specified persons from service
11 fees; amending s. 28.244, F.S.; increasing the
12 threshold amount for automatic repayment of
13 overpayments; amending s. 28.345, F.S.; requiring that
14 the clerk provide access to public records without
15 charge to certain persons, subject to a limitation and
16 an exception; authorizing the clerk to provide public
17 records in an electronic format under certain
18 circumstances; amending s. 57.081, F.S.; clarifying
19 that, with the exception of charges for issuance of a
20 summons, the prepayment of costs is not required upon
21 a certification of indigence; amending s. 57.082,
22 F.S.; providing for the inclusion of certain filing
23 fees in payment plans; amending s. 101.151, F.S.;
24 clarifying when the office title "Clerk of the Circuit
25 Court and Comptroller" may be used; amending s.
26 119.0714, F.S.; requiring that certain requests for
27 maintenance of a public record exemption specify
28 certain information; amending s. 194.032, F.S.;
29 requiring that the property appraiser, rather than the

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30 clerk, provide the property record card to a
31 petitioner regardless of whether the petitioner
32 initiates evidence exchange; amending s. 938.30, F.S.;
33 providing that the state is not required to pay fees
34 to enforce judgment for costs and fines; providing an
35 effective date.

36
37 Be It Enacted by the Legislature of the State of Florida:

38
39 Section 1. Section 28.13, Florida Statutes, is amended to
40 read:

41 28.13 ~~To keep~~ Papers and electronic filings.—The clerk of
42 the circuit court must maintain ~~shall keep~~ all papers and
43 electronic filings ~~filed~~ in the clerk's office with the utmost
44 care and security, storing them with related case arranged in
45 ~~appropriate~~ files and affixing a stamp, which may be electronic,
46 to each submission indicating ~~(endorsing upon each~~ the date and
47 time that when the submission same was filed. The clerk may),
48 ~~and shall~~ not permit any attorney or other person to remove
49 filed documents from the control or custody ~~take papers once~~
50 ~~filed out of the office~~ of the clerk without leave of the court,
51 except as otherwise is hereinafter provided by law.

52 Section 2. Present subsections (4) through (6) of section
53 28.222, Florida Statutes, are renumbered as subsections (5)
54 through (7), respectively, and a new subsection (4) is added to
55 that section to read:

56 28.222 Clerk to be county recorder.—

57 (4) The county recorder shall remove recorded court
58 documents from the Official Records pursuant to a sealing or

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59 expunction order.

60 Section 3. Section 28.24, Florida Statutes, is amended to
61 read:

62 28.24 Service charges ~~by clerk of the circuit court.~~—The
63 clerk of the circuit court shall charge for services rendered
64 manually or electronically by the clerk's office in recording
65 documents and instruments and in performing other specified the
66 duties. These charges may ~~enumerated in amounts~~ not to exceed
67 those specified in this section, except as provided in s.
68 28.345. ~~Notwithstanding any other provision of this section, the~~
69 ~~clerk of the circuit court shall provide without charge to the~~
70 ~~state attorney, public defender, guardian ad litem, public~~
71 ~~guardian, attorney ad litem, criminal conflict and civil~~
72 ~~regional counsel, and private court appointed counsel paid by~~
73 ~~the state, and to the authorized staff acting on behalf of each,~~
74 ~~access to and a copy of any public record, if the requesting~~
75 ~~party is entitled by law to view the exempt or confidential~~
76 ~~record, as maintained by and in the custody of the clerk of the~~
77 ~~circuit court as provided in general law and the Florida Rules~~
78 ~~of Judicial Administration. The clerk of the circuit court may~~
79 ~~provide the requested public record in an electronic format in~~
80 ~~lieu of a paper format when capable of being accessed by the~~
81 ~~requesting entity.~~

82
83 Charges

84
85 (1) For examining, comparing, correcting, verifying, and
86 certifying transcripts of record in appellate proceedings,
87 prepared by attorney for appellant or someone else other than

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88	clerk, per page.....	5.00
89	(2) For preparing, numbering, and indexing an original	
90	record of appellate proceedings, per instrument.....	3.50
91	(3) For certifying copies of any instrument in the public	
92	records.....	2.00
93	(4) For verifying any instrument presented for	
94	certification prepared by someone other than clerk, per page.	3.50
95	(5) (a) For making copies by photographic process of any	
96	instrument in the public records consisting of pages of not more	
97	than 14 inches by 8 1/2 inches, per page.....	1.00
98	(b) For making copies by photographic process of any	
99	instrument in the public records of more than 14 inches by 8 1/2	
100	inches, per page.....	5.00
101	(6) For making microfilm copies of any public records:	
102	(a) 16 mm 100' microfilm roll.....	42.00
103	(b) 35 mm 100' microfilm roll.....	60.00
104	(c) Microfiche, per fiche.....	3.50
105	(7) For copying any instrument in the public records by	
106	other than photographic process, per page.....	6.00
107	(8) For writing any paper other than herein specifically	
108	mentioned, same as for copying, including signing and sealing	7.00
109	(9) For indexing each entry not recorded.....	1.00
110	(10) For receiving money into the registry of court:	
111	(a) 1. First \$500, percent.....	3
112	2. Each subsequent \$100, percent.....	1.5
113	(b) Eminent domain actions, per deposit.....	170.00
114	(11) For examining, certifying, and recording plats and for	
115	recording condominium exhibits larger than 14 inches by 8 1/2	
116	inches:	

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- 117 (a) First page.....30.00
- 118 (b) Each additional page.....15.00
- 119 (12) For recording, indexing, and filing any instrument not
- 120 more than 14 inches by 8 1/2 inches, including required notice
- 121 to property appraiser where applicable:
- 122 (a) First page or fraction thereof.....5.00
- 123 (b) Each additional page or fraction thereof.....4.00
- 124 (c) For indexing instruments recorded in the official
- 125 records which contain more than four names, per additional name1.00
- 126 (d) An additional service charge must ~~shall~~ be paid to the
- 127 clerk of the circuit court to be deposited in the Public Records
- 128 Modernization Trust Fund for each instrument listed in s.
- 129 28.222, except judgments received from the courts and notices of
- 130 lis pendens, recorded in the official records:
- 131 1. First page.....1.00
- 132 2. Each additional page.....0.50

133

134 Said fund must ~~shall~~ be held in trust by the clerk and used

135 exclusively for equipment and maintenance of equipment,

136 personnel training, and technical assistance in modernizing the

137 public records system of the office. In a county where the duty

138 of maintaining official records exists in an office other than

139 the office of the clerk of the circuit court, the clerk of the

140 circuit court is entitled to 25 percent of the moneys deposited

141 into the trust fund for equipment, maintenance of equipment,

142 training, and technical assistance in modernizing the system for

143 storing records in the office of the clerk of the circuit court.

144 The fund may not be used for the payment of travel expenses,

145 membership dues, bank charges, staff-recruitment costs, salaries

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146 or benefits of employees, construction costs, general operating
147 expenses, or other costs not directly related to obtaining and
148 maintaining equipment for public records systems or for the
149 purchase of furniture or office supplies and equipment not
150 related to the storage of records. On or before December 1,
151 1995, and on or before December 1 of each year immediately
152 preceding each year during which the trust fund is scheduled for
153 legislative review under s. 19(f)(2), Art. III of the State
154 Constitution, each clerk of the circuit court shall file a
155 report on the Public Records Modernization Trust Fund with the
156 President of the Senate and the Speaker of the House of
157 Representatives. The report must itemize each expenditure made
158 from the trust fund since the last report was filed; each
159 obligation payable from the trust fund on that date; and the
160 percentage of funds expended for each of the following:
161 equipment, maintenance of equipment, personnel training, and
162 technical assistance. The report must indicate the nature of the
163 system each clerk uses to store, maintain, and retrieve public
164 records and the degree to which the system has been upgraded
165 since the creation of the trust fund.

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

171 1. If the counties maintain legal responsibility for the
172 costs of the court-related technology needs as defined in s.
173 29.008(1)(f)2. and (h), 10 cents shall be distributed to the
174 Florida Association of Court Clerks and Comptrollers, Inc., for

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175 the cost of development, implementation, operation, and
176 maintenance of the clerks' Comprehensive Case Information
177 System; \$1.90 shall be retained by the clerk to be deposited in
178 the Public Records Modernization Trust Fund and used exclusively
179 for funding court-related technology needs of the clerk as
180 defined in s. 29.008(1)(f)2. and (h); and \$2 shall be
181 distributed to the board of county commissioners to be used
182 exclusively to fund court-related technology, and court
183 technology needs as defined in s. 29.008(1)(f)2. and (h) for the
184 state trial courts, state attorney, public defender, and
185 criminal conflict and civil regional counsel in that county. If
186 the counties maintain legal responsibility for the costs of the
187 court-related technology needs as defined in s. 29.008(1)(f)2.
188 and (h), notwithstanding any other provision of law, the county
189 is not required to provide additional funding beyond that
190 provided herein for the court-related technology needs of the
191 clerk as defined in s. 29.008(1)(f)2. and (h). All court records
192 and official records are the property of the State of Florida,
193 including any records generated as part of the Comprehensive
194 Case Information System funded pursuant to this paragraph and
195 the clerk of court is designated as the custodian of such
196 records, except in a county where the duty of maintaining
197 official records exists in a county office other than the clerk
198 of court or comptroller, such county office is designated the
199 custodian of all official records, and the clerk of court is
200 designated the custodian of all court records. The clerk of
201 court or any entity acting on behalf of the clerk of court,
202 including an association, may ~~shall~~ not charge a fee to any
203 agency as defined in s. 119.011, the Legislature, or the State

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204 Court System for copies of records generated by the
 205 Comprehensive Case Information System or held by the clerk of
 206 court or any entity acting on behalf of the clerk of court,
 207 including an association.

208 2. If the state becomes legally responsible for the costs
 209 of court-related technology needs as defined in s.
 210 29.008(1)(f)2. and (h), whether by operation of general law or
 211 by court order, \$4 shall be remitted to the Department of
 212 Revenue for deposit into the General Revenue Fund.

213 (13) Oath, administering, attesting, and sealing, not
 214 otherwise provided for herein.....3.50

215 (14) For validating certificates, any authorized bonds,
 216 each.....3.50

217 (15) For preparing affidavit of domicile.....5.00

218 (16) For exemplified certificates, including signing and
 219 sealing.....7.00

220 (17) For authenticated certificates, including signing and
 221 sealing.....7.00

222 (18)(a) For issuing and filing a subpoena for a witness,
 223 not otherwise provided for herein (includes writing, preparing,
 224 signing, and sealing).....7.00

225 (b) For signing and sealing only.....2.00

226 (19) For approving bond.....8.50

227 (20) For searching of records, for each year's search...2.00

228 (21) For processing an application for a tax deed sale
 229 (includes application, sale, issuance, and preparation of tax
 230 deed, and disbursement of proceeds of sale), other than excess
 231 proceeds.....60.00

232 (22) For disbursement of excess proceeds of tax deed sale,

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233 first \$100 or fraction thereof.....10.00

234 (23) Upon receipt of an application for a marriage license,
 235 for preparing and administering of oath; issuing, sealing, and
 236 recording of the marriage license; and providing a certified
 237 copy.....30.00

238 (24) For solemnizing matrimony.....30.00

239 (25) For sealing any court file or expungement of any
 240 record.....42.00

241 (26) (a) For receiving and disbursing all restitution
 242 payments, per payment.....3.50

243 (b) For receiving and disbursing all partial payments,
 244 other than restitution payments, for which an administrative
 245 processing service charge is not imposed pursuant to s. 28.246,
 246 per month.....5.00

247 (c) For setting up a payment plan, a one-time
 248 administrative processing charge in lieu of a per month charge
 249 under paragraph (b).....25.00

250 (27) Postal charges incurred by the clerk of the circuit
 251 court in any mailing by certified or registered mail must ~~shall~~
 252 be paid by the party at whose instance the mailing is made.

253 (28) For furnishing an electronic copy of information
 254 contained in a computer database: a fee as provided for in
 255 chapter 119.

256 Section 4. Section 28.244, Florida Statutes, is amended to
 257 read:

258 28.244 Refunds.—A clerk of the circuit court or a filing
 259 officer of another office where records are filed who receives
 260 payment for services provided and thereafter determines that an
 261 overpayment has occurred shall refund to the person who made the

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262 payment the amount of any overpayment that exceeds \$10 ~~\$5~~. If
263 the amount of the overpayment is \$10 ~~\$5~~ or less, the clerk of
264 the circuit court or a filing officer of another office where
265 records are filed is not required to refund the amount of the
266 overpayment unless the person who made the overpayment makes a
267 written request.

268 Section 5. Section 28.345, Florida Statutes, is amended to
269 read:

270 28.345 State access to records; exemption from court-
271 related fees and charges.-

272 (1) Notwithstanding any other provision of law, the clerk
273 of the circuit court shall, upon request, provide access to
274 public records without charge to the state attorney, public
275 defender, guardian ad litem, public guardian, attorney ad litem,
276 criminal conflict and civil regional counsel, and private court-
277 appointed counsel paid by the state, and to authorized staff
278 acting on their behalf. The clerk of court may provide the
279 requested public record in an electronic format in lieu of a
280 paper format if the requesting entity is capable of accessing
281 such public record electronically.

282 (2) Notwithstanding any other provision of this chapter or
283 law to the contrary, judges and those court staff acting on
284 behalf of judges, state attorneys, guardians ad litem, public
285 guardians, attorneys ad litem, court-appointed private counsel,
286 criminal conflict and civil regional counsel, ~~and~~ public
287 defenders, and state agencies, while acting in their official
288 capacity, ~~and state agencies,~~ are exempt from all court-related
289 fees and charges assessed by the clerks of the circuit courts.

290 (3) The exemptions from fees or charges provided in this

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291 section apply only to state agencies and state entities and the
292 party represented by the agency or entity.

293 Section 6. Subsection (1) of section 57.081, Florida
294 Statutes, is amended to read:

295 57.081 Costs; right to proceed where prepayment of costs
296 and payment of filing fees waived.—

297 (1) Any indigent person, except a prisoner as defined in s.
298 57.085, who is a party or intervenor in any judicial or
299 administrative agency proceeding or who initiates such
300 proceeding shall receive the services of the courts, sheriffs,
301 and clerks, with respect to such proceedings, despite his or her
302 present inability to pay for these services. Such services are
303 limited to filing fees; service of process; certified copies of
304 orders or final judgments; a single photocopy of any court
305 pleading, record, or instrument filed with the clerk; examining
306 fees; mediation services and fees; private court-appointed
307 counsel fees; subpoena fees and services; service charges for
308 collecting and disbursing funds; and any other cost or service
309 arising out of pending litigation. In any appeal from an
310 administrative agency decision, for which the clerk is
311 responsible for preparing the transcript, the clerk shall record
312 the cost of preparing the transcripts and the cost for copies of
313 any exhibits in the record. Prepayment of costs to any court,
314 clerk, or sheriff is not required and payment of filing fees is
315 not required in any action if the party has obtained in each
316 proceeding a certification of indigence in accordance with s.
317 27.52 or s. 57.082 ~~A party who has obtained a certification of~~
318 ~~indigence pursuant to s. 27.52 or s. 57.082 with respect to a~~
319 ~~proceeding is not required to prepay costs to a court, clerk, or~~

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320 ~~sheriff and is not required to pay filing fees or charges for~~
321 ~~issuance of a summons.~~

322 Section 7. Subsection (6) of section 57.082, Florida
323 Statutes, is amended to read:

324 57.082 Determination of civil indigent status.—

325 (6) PROCESSING CHARGE; PAYMENT PLANS.—A person who the
326 clerk or the court determines is indigent for civil proceedings
327 under this section shall be enrolled in a payment plan under s.
328 28.246 and shall be charged a one-time administrative processing
329 charge under s. 28.24(26)(c). A monthly payment amount,
330 calculated based upon all fees and all anticipated costs, is
331 presumed to correspond to the person's ability to pay if it does
332 not exceed 2 percent of the person's annual net income, as
333 defined in subsection (1), divided by 12. The person may seek
334 review of the clerk's decisions regarding a payment plan
335 established under s. 28.246 in the court having jurisdiction
336 over the matter. A case may not be impeded in any way, delayed
337 in filing, or delayed in its progress, including the final
338 hearing and order, due to nonpayment of any fees or costs by an
339 indigent person. ~~Filing fees waived from payment under s. 57.081~~
340 ~~may not be included in the calculation related to a payment plan~~
341 ~~established under this section.~~

342 Section 8. Paragraph (a) of subsection (2) of section
343 101.151, Florida Statutes, is amended to read:

344 101.151 Specifications for ballots.—

345 (2) (a) The ballot must include ~~shall have~~ the following
346 office titles above ~~under which shall appear~~ the names of the
347 candidates for the respective offices in the following order:

348 1. The office titles of President and Vice President above

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349 ~~and thereunder~~ the names of the candidates for President and
 350 Vice President of the United States nominated by the political
 351 party that received the highest vote for Governor in the last
 352 general election of the Governor in this state, followed by.
 353 ~~Then shall appear~~ the names of other candidates for President
 354 and Vice President of the United States who have been properly
 355 nominated.

356 2. The office titles of United States Senator and
 357 Representative in Congress.

358 3. The office titles of Governor and Lieutenant Governor;
 359 Attorney General; Chief Financial Officer; Commissioner of
 360 Agriculture; State Attorney, with the applicable judicial
 361 circuit; and Public Defender, with the applicable judicial
 362 circuit.

363 4. The office titles of State Senator and State
 364 Representative, with the applicable district for the office
 365 printed beneath.

366 5. The office titles of Clerk of the Circuit Court, or,
 367 when the Clerk of the Circuit Court also serves as the County
 368 Comptroller, Clerk of the Circuit Court and Comptroller,
 369 ~~(whichever is applicable and when authorized by law;)~~ Clerk of
 370 the County Court, ~~(when authorized by law;)~~ Sheriff; Property
 371 Appraiser; Tax Collector; District Superintendent of Schools; and
 372 Supervisor of Elections.

373 6. The office titles of Board of County Commissioners, with
 374 the applicable district printed beneath each office, and such
 375 other county and district offices as are involved in the
 376 election, in the order fixed by the Department of State,
 377 followed, in the year of their election, by "Party Offices," and

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378 thereunder the offices of state and county party executive
379 committee members.

380 Section 9. Paragraph (f) is added to subsection (2) of
381 section 119.0714, Florida Statutes, and section (3) is amended,
382 to read:

383 119.0714 Court files; court records; official records.—

384 (2) COURT RECORDS.—

385 (f) A request for maintenance of a public records exemption
386 in s. 119.071(4)(d)2. made pursuant to s. 119.071(4)(d)3. must
387 specify the document type, name, identification number, and page
388 number of the court record that contains the exempt information.

389 (3) OFFICIAL RECORDS.—

390 ~~(a) A~~ Any person who prepares or files a record for
391 recording in the official records as provided in chapter 28 may
392 not include in that record a social security number or a bank
393 account, debit, charge, or credit card number unless otherwise
394 expressly required by law.

395 ~~(a)(b)1.~~ If a social security number or a bank account,
396 debit, charge, or credit card number is included in an official
397 record, such number may be made available as part of the
398 official records available for public inspection and copying
399 unless redaction is requested by the holder of such number or by
400 the holder's attorney or legal guardian.

401 ~~1.2.~~ If such record is in electronic format, on January 1,
402 2011, and thereafter, the county recorder must use his or her
403 best effort, as provided in paragraph (d)(h), to keep social
404 security numbers confidential and exempt as provided for in s.
405 119.071(5)(a), and to keep complete bank account, debit, charge,
406 and credit card numbers exempt as provided for in s.

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407 119.071(5)(b), without any person having to request redaction.

408 ~~2.3.~~ Section 119.071(5)(a)7. and 8. does not apply to the
409 county recorder with respect to official records.

410 (b)~~(e)~~ The holder of a social security number or a bank
411 account, debit, charge, or credit card number, or the holder's
412 attorney or legal guardian, may request that a county recorder
413 redact from an image or copy of an official record placed on a
414 county recorder's publicly available Internet website or on a
415 publicly available Internet website used by a county recorder to
416 display public records, or otherwise made electronically
417 available to the public, his or her social security number or
418 bank account, debit, charge, or credit card number contained in
419 that official record.

420 1.~~(d)~~ A request for redaction must be a signed, legibly
421 written request and must be delivered by mail, facsimile,
422 electronic transmission, or in person to the county recorder.
423 The request must specify the identification page number of the
424 record that contains the number to be redacted.

425 2.~~(e)~~ The county recorder does not have a duty to inquire
426 beyond the written request to verify the identity of a person
427 requesting redaction.

428 3.~~(f)~~ A fee may not be charged for redacting a social
429 security number or a bank account, debit, charge, or credit card
430 number.

431 (c)~~(g)~~ A county recorder shall immediately and
432 conspicuously post signs throughout his or her offices for
433 public viewing, and shall immediately and conspicuously post on
434 any Internet website or remote electronic site made available by
435 the county recorder and used for the ordering or display of

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436 official records or images or copies of official records, a
437 notice stating, in substantially similar form, the following:

438 1. On or after October 1, 2002, any person preparing or
439 filing a record for recordation in the official records may not
440 include a social security number or a bank account, debit,
441 charge, or credit card number in such document unless required
442 by law.

443 2. Any person has a right to request a county recorder to
444 remove from an image or copy of an official record placed on a
445 county recorder's publicly available Internet website or on a
446 publicly available Internet website used by a county recorder to
447 display public records, or otherwise made electronically
448 available to the general public, any social security number
449 contained in an official record. Such request must be made in
450 writing and delivered by mail, facsimile, or electronic
451 transmission, or delivered in person, to the county recorder.
452 The request must specify the identification page number that
453 contains the social security number to be redacted. A fee may
454 not be charged for the redaction of a social security number
455 pursuant to such a request.

456 (d) ~~(h)~~ If the county recorder accepts or stores official
457 records in an electronic format, the county recorder must use
458 his or her best efforts to redact all social security numbers
459 and bank account, debit, charge, or credit card numbers from
460 electronic copies of the official record. The use of an
461 automated program for redaction is ~~shall be~~ deemed to be the
462 best effort in performing the redaction and is ~~shall be~~ deemed
463 in compliance with the requirements of this subsection.

464 (e) ~~(i)~~ The county recorder is not liable for the

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465 inadvertent release of social security numbers, or bank account,
466 debit, charge, or credit card numbers, filed with the county
467 recorder.

468 (f) A request for maintenance of a public records exemption
469 in s. 119.071(4)(d)2. made pursuant to s. 119.071(4)(d)3. must
470 specify the document type, name, identification number, and page
471 number of the official record that contains the exempt
472 information.

473 Section 10. Paragraph (a) of subsection (2) of section
474 194.032, Florida Statutes, is amended to read:

475 194.032 Hearing purposes; timetable.—

476 (2)(a) The clerk of the governing body of the county shall
477 prepare a schedule of appearances before the board based on
478 petitions timely filed with him or her. The clerk shall notify
479 each petitioner of the scheduled time of his or her appearance
480 at least 25 calendar days before the day of the scheduled
481 appearance. The notice must ~~shall~~ indicate whether the petition
482 has been scheduled to be heard at a particular time or during a
483 block of time. If the petition has been scheduled to be heard
484 within a block of time, the beginning and ending of that block
485 of time must ~~shall~~ be indicated on the notice; however, as
486 provided in paragraph (b), a petitioner may not be required to
487 wait for more than a reasonable time, not to exceed 2 hours,
488 after the beginning of the block of time. If the petitioner
489 checked the appropriate box on the petition form to request a
490 copy of the property record card containing relevant information
491 used in computing the current assessment, the property appraiser
492 must provide the copy to the petitioner upon receipt of the
493 petition from the clerk regardless of whether the petitioner

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494 initiates evidence exchange ~~clerk shall provide the copy of the~~
495 ~~card along with the notice.~~ Upon receipt of the notice, the
496 petitioner may reschedule the hearing a single time by
497 submitting to the clerk a written request to reschedule, at
498 least 5 calendar days before the day of the originally scheduled
499 hearing.

500 Section 11. Subsections (2) and (6) of section 938.30,
501 Florida Statutes, are amended to read:

502 938.30 Financial obligations in criminal cases;
503 supplementary proceedings.—

504 (2) The court may require a person liable for payment of an
505 obligation to appear and be examined under oath concerning the
506 person's financial ability to pay the obligation. The judge may
507 convert the statutory financial obligation into a court-ordered
508 obligation to perform community service, subject to the
509 provisions of s. 318.18(8), after examining a person under oath
510 and determining the a person's inability to pay. Any person who
511 fails ~~failing~~ to attend a hearing may be arrested on warrant or
512 ~~capias which may be~~ issued by the clerk upon order of the court.

513 (6) If judgment has not been previously entered on any
514 court-imposed financial obligation, the court may enter judgment
515 thereon and issue any writ necessary to enforce the judgment in
516 the manner allowed in civil cases. Any judgment issued under
517 this section constitutes a civil lien against the judgment
518 debtor's presently owned or after-acquired property, when
519 recorded pursuant to s. 55.10. Supplementary proceedings
520 undertaken by any governmental entity to satisfy a judgment
521 imposed pursuant to this section may proceed without bond and
522 without the payment of statutory fees associated with judgment

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523 enforcement.

524 Section 12. This act shall take effect July 1, 2013.