

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Transportation &
2 Infrastructure Subcommittee
3 Representative Ingram offered the following:
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Amendment (with title amendment)

6 Remove lines 192-231 and insert:

7 (6) A clerk of court shall pursue the collection of any
8 fees, service charges, fines, court costs, and liens for the
9 payment of attorney fees and costs pursuant to s. 938.29 which
10 remain unpaid after 90 days by referring the account to a
11 private attorney who is a member in good standing of The Florida
12 Bar or collection agent who is registered and in good standing
13 pursuant to chapter 559. In pursuing the collection of such
14 unpaid financial obligations through a private attorney or
15 collection agent, the clerk of the court must have attempted to
16 collect the unpaid amount through a collection court,

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17 collections docket, or other collections process, if any,
18 established by the court find this to be cost-effective and
19 follow any applicable procurement practices.

20 (a) In retaining a collection agent or private attorney as
21 provided in this subsection, the clerk shall solicit competitive
22 bids from collection agents private attorneys. The contract
23 awarded to the successful bidder may be in effect for no longer
24 than 3 years, with a maximum of two 1-year extensions.

25 (b) The clerk shall consider all pertinent criteria when
26 considering bids, including, but not limited to, performance
27 quality and customer service. The collection fee paid to the
28 private attorney or collection agent, including any reasonable
29 attorney's fee, paid to any attorney or collection agent
30 retained by the clerk may be added to the balance owed in an
31 amount not to exceed 40 percent of the amount owed at the time
32 the account is referred to the attorney or agent for collection.

33 (c) The clerk may not assess any surcharge to refer the
34 account to a private attorney or agent for collection.

35 (d) The collection agent or private attorney may not
36 impose any additional fees or surcharges other than the
37 contractually agreed upon amounts.

38 (e) The clerk shall give the private attorney or
39 collection agent the application for the appointment of court-
40 appointed counsel regardless of whether the court file is
41 otherwise confidential from disclosure.

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

Remove lines 5-17 and insert:

seeking indigent status; amending s. 28.246, F.S.; revising requirements relating to the payment of court-related fines or other monetary penalties, fees, charges, and costs; requiring a clerk of court to pursue collection of certain fees, charges, fines, costs, or liens under certain circumstances; requiring a clerk of court to solicit competitive bids from private attorneys or collection agents for certain services, subject to certain requirements; prohibiting a clerk from assessing a certain surcharge; prohibiting a private attorney or collection agent from imposing certain additional fees or surcharges; amending s. 316.650,