



485268

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/07/2017	.	
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The Committee on Transportation (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 189 - 224

and insert:

(6) (a) A clerk of court shall pursue the collection of any fees, service charges, fines, court costs, and liens for the payment of attorney fees and costs pursuant to s. 938.29 which remain unpaid after 90 days by referring the account to a private attorney who is a member in good standing of The Florida Bar or collection agent who is registered and in good standing



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11 pursuant to chapter 559. In pursuing the collection of such
12 unpaid financial obligations through a private attorney or
13 collection agent, the clerk of the court must have attempted to
14 collect the unpaid amount through a collection court,
15 collections docket, or other collections process, if any,
16 established by the court, find this to be cost-effective and
17 follow any applicable procurement practices.

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

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

31 (d) The clerk may not assess any surcharge to refer the
32 account to a private attorney or an agent for collection.

33 (e) The private attorney or collection agent may not impose
34 any additional fees or surcharges other than the contractually
35 agreed-upon amounts.

36 (f) The clerk shall give the private attorney or collection
37

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

39 And the title is amended as follows:



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40 Delete lines 7 - 13
41 and insert:
42 penalties, fees, charges, and costs; requiring a clerk
43 of court to solicit competitive bids from private
44 attorneys or collection agents for collection
45 services, subject to certain requirements; prohibiting
46 the clerk