

**By** the Committees on Appropriations; and Judiciary; and Senators Steube and Brandes

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1                                   A bill to be entitled  
2       An act relating to the judicial branch; creating s.  
3       25.025, F.S.; authorizing certain Supreme Court  
4       Justices to have an appropriate facility in their  
5       district of residence designated as their official  
6       headquarters; providing that an official headquarters  
7       may serve only as a justice's private chambers;  
8       providing that such justices are eligible for a  
9       certain subsistence allowance and reimbursement for  
10      certain transportation expenses; requiring that such  
11      allowance and reimbursement be made to the extent  
12      appropriated funds are available, as determined by the  
13      Chief Justice; requiring the Chief Justice to  
14      coordinate with certain persons in implementing  
15      designations of official headquarters; providing that  
16      a county is not required to provide space for a  
17      justice in a county courthouse; authorizing counties  
18      to enter into agreements with the Supreme Court for  
19      the use of county courthouse space; prohibiting the  
20      Supreme Court from using state funds to lease space in  
21      a facility to allow a justice to establish an official  
22      headquarters; amending s. 26.031, F.S.; adding judges  
23      to the Ninth Judicial Circuit Court; amending s.  
24      29.008, F.S.; providing applicability and  
25      construction; amending s. 30.15, F.S.; requiring  
26      sheriffs to provide security for trial court  
27      facilities; requiring sheriffs to coordinate with a  
28      certain the chief judge on security matters for trial  
29      court facilities and to retain operational control

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30 over how they provide security for such facilities;  
31 specifying that the chief judge has certain decision-  
32 making authority as part of his or her administrative  
33 supervision responsibility; specifying that sheriffs  
34 and their deputies, employees, and contractors are  
35 officers of the court when providing security for  
36 trial court facilities; amending s. 34.01, F.S.;  
37 increasing the limit of the amount in controversy in  
38 certain actions at law under which the county court  
39 has original jurisdiction of such actions; providing  
40 for adjustments to the limit at specified intervals  
41 due to inflation or deflation; specifying filing fees,  
42 services charges, and a requirement for the clerk of  
43 court's remittal of such fees in actions in which the  
44 amount in controversy exceeds a specified amount;  
45 amending s. 34.022, F.S.; adding judges to certain  
46 county courts; amending s. 105.031, F.S.; requiring  
47 the appropriate qualifying officer to refund the  
48 qualifying fee to an unopposed candidate for the  
49 office of circuit court judge or county court judge by  
50 a specified date; providing effective dates.

51  
52 Be It Enacted by the Legislature of the State of Florida:

53  
54 Section 1. Section 25.025, Florida Statutes, is created to  
55 read:

56 25.025 Headquarters.—

57 (1) (a) A Supreme Court justice who permanently resides  
58 outside Leon County shall, if he or she so requests, have a

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59 district court of appeal courthouse, a county courthouse, or  
60 other appropriate facility in his or her district of residence  
61 designated as his or her official headquarters pursuant to s.  
62 112.061. This official headquarters may serve only as the  
63 justice's private chambers.

64 (b) A justice for whom an official headquarters is  
65 designated in his or her district of residence under this  
66 subsection is eligible for subsistence at a rate to be  
67 established by the Chief Justice for each day or partial day  
68 that the justice is at the headquarters of the Supreme Court for  
69 the conduct of the business of the court. In addition to the  
70 subsistence allowance, a justice is eligible for reimbursement  
71 for transportation expenses as provided in s. 112.061(7) for  
72 travel between the justice's official headquarters and the  
73 headquarters of the Supreme Court for the conduct of the  
74 business of the court.

75 (c) Payment of subsistence and reimbursement for  
76 transportation expenses relating to travel between a justice's  
77 official headquarters and the headquarters of the Supreme Court  
78 shall be made to the extent appropriated funds are available, as  
79 determined by the Chief Justice.

80 (2) The Chief Justice shall coordinate with each affected  
81 justice and other state and local officials as necessary to  
82 implement paragraph (1) (a).

83 (3) (a) This section does not require a county to provide  
84 space in a county courthouse for a justice. A county may enter  
85 into an agreement with the Supreme Court governing the use of  
86 space in a county courthouse.

87 (b) The Supreme Court may not use state funds to lease

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88 space in a district court of appeal courthouse, county  
89 courthouse, or other facility to allow a justice to establish an  
90 official headquarters pursuant to subsection (1).

91 Section 2. Subsection (9) of section 26.031, Florida  
92 Statutes, is amended to read:

93 26.031 Judicial circuits; number of judges.—The number of  
94 circuit judges in each circuit shall be as follows:

95		
96	JUDICIAL CIRCUIT	TOTAL
97	(9) Ninth.....	<u>45</u> 43

98 Section 3. Subsection (1) of section 29.008, Florida  
99 Statutes, is amended to read:

100 29.008 County funding of court-related functions.—

101 (1) Counties are required by s. 14, Art. V of the State  
102 Constitution to fund the cost of communications services,  
103 existing radio systems, existing multiagency criminal justice  
104 information systems, and the cost of construction or lease,  
105 maintenance, utilities, and security of facilities for the  
106 circuit and county courts, public defenders' offices, state  
107 attorneys' offices, guardian ad litem offices, and the offices  
108 of the clerks of the circuit and county courts performing court-  
109 related functions. For purposes of this section, the term  
110 "circuit and county courts" includes the offices and staffing of  
111 the guardian ad litem programs, and the term "public defenders'  
112 offices" includes the offices of criminal conflict and civil  
113 regional counsel. The county designated under s. 35.05(1) as the  
114 headquarters for each appellate district shall fund these costs  
115 for the appellate division of the public defender's office in  
116 that county. For purposes of implementing these requirements,

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117 the term:

118 (a) "Facility" means reasonable and necessary buildings and  
119 office space and appurtenant equipment and furnishings,  
120 structures, real estate, easements, and related interests in  
121 real estate, including, but not limited to, those for the  
122 purpose of housing legal materials for use by the general public  
123 and personnel, equipment, or functions of the circuit or county  
124 courts, public defenders' offices, state attorneys' offices, and  
125 court-related functions of the office of the clerks of the  
126 circuit and county courts and all storage. The term "facility"  
127 includes all wiring necessary for court reporting services. The  
128 term also includes access to parking for such facilities in  
129 connection with such court-related functions that may be  
130 available free or from a private provider or a local government  
131 for a fee. The office space provided by a county may not be less  
132 than the standards for space allotment adopted by the Department  
133 of Management Services, except this requirement applies only to  
134 facilities that are leased, or on which construction commences,  
135 after June 30, 2003. County funding must include physical  
136 modifications and improvements to all facilities as are required  
137 for compliance with the Americans with Disabilities Act. Upon  
138 mutual agreement of a county and the affected entity in this  
139 paragraph, the office space provided by the county may vary from  
140 the standards for space allotment adopted by the Department of  
141 Management Services.

142 1. As of July 1, 2005, equipment and furnishings shall be  
143 limited to that appropriate and customary for courtrooms,  
144 hearing rooms, jury facilities, and other public areas in  
145 courthouses and any other facility occupied by the courts, state

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146 attorneys, public defenders, guardians ad litem, and criminal  
147 conflict and civil regional counsel. Court reporting equipment  
148 in these areas or facilities is not a responsibility of the  
149 county.

150 2. Equipment and furnishings under this paragraph in  
151 existence and owned by counties on July 1, 2005, except for that  
152 in the possession of the clerks, for areas other than  
153 courtrooms, hearing rooms, jury facilities, and other public  
154 areas in courthouses and any other facility occupied by the  
155 courts, state attorneys, and public defenders, shall be  
156 transferred to the state at no charge. This provision does not  
157 apply to any communications services as defined in paragraph  
158 (f).

159 (b) "Construction or lease" includes, but is not limited  
160 to, all reasonable and necessary costs of the acquisition or  
161 lease of facilities for all judicial officers, staff, jurors,  
162 volunteers of a tenant agency, and the public for the circuit  
163 and county courts, the public defenders' offices, state  
164 attorneys' offices, and for performing the court-related  
165 functions of the offices of the clerks of the circuit and county  
166 courts. This includes expenses related to financing such  
167 facilities and the existing and future cost and bonded  
168 indebtedness associated with placing the facilities in use.

169 (c) "Maintenance" includes, but is not limited to, all  
170 reasonable and necessary costs of custodial and groundskeeping  
171 services and renovation and reconstruction as needed to  
172 accommodate functions for the circuit and county courts, the  
173 public defenders' offices, and state attorneys' offices and for  
174 performing the court-related functions of the offices of the

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175 clerks of the circuit and county court and for maintaining the  
176 facilities in a condition appropriate and safe for the use  
177 intended.

178 (d) "Utilities" means all electricity services for light,  
179 heat, and power; natural or manufactured gas services for light,  
180 heat, and power; water and wastewater services and systems,  
181 stormwater or runoff services and systems, sewer services and  
182 systems, all costs or fees associated with these services and  
183 systems, and any costs or fees associated with the mitigation of  
184 environmental impacts directly related to the facility.

185 (e) "Security" includes but is not limited to, all  
186 reasonable and necessary costs of services of law enforcement  
187 officers or licensed security guards and all electronic,  
188 cellular, or digital monitoring and screening devices necessary  
189 to ensure the safety and security of all persons visiting or  
190 working in a facility; to provide for security of the facility,  
191 including protection of property owned by the county or the  
192 state; and for security of prisoners brought to any facility.  
193 This includes bailiffs while providing courtroom and other  
194 security for each judge and other quasi-judicial officers.

195 (f) "Communications services" are defined as any reasonable  
196 and necessary transmission, emission, and reception of signs,  
197 signals, writings, images, and sounds of intelligence of any  
198 nature by wire, radio, optical, audio equipment, or other  
199 electromagnetic systems and includes all facilities and  
200 equipment owned, leased, or used by judges, clerks, public  
201 defenders, state attorneys, guardians ad litem, criminal  
202 conflict and civil regional counsel, and all staff of the state  
203 courts system, state attorneys' offices, public defenders'

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204 offices, and clerks of the circuit and county courts performing  
205 court-related functions. Such system or services shall include,  
206 but not be limited to:

207 1. Telephone system infrastructure, including computer  
208 lines, telephone switching equipment, and maintenance, and  
209 facsimile equipment, wireless communications, cellular  
210 telephones, pagers, and video teleconferencing equipment and  
211 line charges. Each county shall continue to provide access to a  
212 local carrier for local and long distance service and shall pay  
213 toll charges for local and long distance service.

214 2. All computer networks, systems and equipment, including  
215 computer hardware and software, modems, printers, wiring,  
216 network connections, maintenance, support staff or services  
217 including any county-funded support staff located in the offices  
218 of the circuit court, county courts, state attorneys, public  
219 defenders, guardians ad litem, and criminal conflict and civil  
220 regional counsel; training, supplies, and line charges necessary  
221 for an integrated computer system to support the operations and  
222 management of the state courts system, the offices of the public  
223 defenders, the offices of the state attorneys, the guardian ad  
224 litem offices, the offices of criminal conflict and civil  
225 regional counsel, and the offices of the clerks of the circuit  
226 and county courts; and the capability to connect those entities  
227 and reporting data to the state as required for the transmission  
228 of revenue, performance accountability, case management, data  
229 collection, budgeting, and auditing purposes. The integrated  
230 computer system shall be operational by July 1, 2006, and, at a  
231 minimum, permit the exchange of financial, performance  
232 accountability, case management, case disposition, and other



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233 data across multiple state and county information systems  
234 involving multiple users at both the state level and within each  
235 judicial circuit and be able to electronically exchange judicial  
236 case background data, sentencing scoresheets, and video evidence  
237 information stored in integrated case management systems over  
238 secure networks. Once the integrated system becomes operational,  
239 counties may reject requests to purchase communications services  
240 included in this subparagraph not in compliance with standards,  
241 protocols, or processes adopted by the board established  
242 pursuant to former s. 29.0086.

243 3. Courier messenger and subpoena services.

244 4. Auxiliary aids and services for qualified individuals  
245 with a disability which are necessary to ensure access to the  
246 courts. Such auxiliary aids and services include, but are not  
247 limited to, sign language interpretation services required under  
248 the federal Americans with Disabilities Act other than services  
249 required to satisfy due-process requirements and identified as a  
250 state funding responsibility pursuant to ss. 29.004, 29.005,  
251 29.006, and 29.007, real-time transcription services for  
252 individuals who are hearing impaired, and assistive listening  
253 devices and the equipment necessary to implement such  
254 accommodations.

255 (g) "Existing radio systems" includes, but is not limited  
256 to, law enforcement radio systems that are used by the circuit  
257 and county courts, the offices of the public defenders, the  
258 offices of the state attorneys, and for court-related functions  
259 of the offices of the clerks of the circuit and county courts.  
260 This includes radio systems that were operational or under  
261 contract at the time Revision No. 7, 1998, to Art. V of the

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262 State Constitution was adopted and any enhancements made  
263 thereafter, the maintenance of those systems, and the personnel  
264 and supplies necessary for operation.

265 (h) "Existing multiagency criminal justice information  
266 systems" includes, but is not limited to, those components of  
267 the multiagency criminal justice information system as defined  
268 in s. 943.045, supporting the offices of the circuit or county  
269 courts, the public defenders' offices, the state attorneys'  
270 offices, or those portions of the offices of the clerks of the  
271 circuit and county courts performing court-related functions  
272 that are used to carry out the court-related activities of those  
273 entities. This includes upgrades and maintenance of the current  
274 equipment, maintenance and upgrades of supporting technology  
275 infrastructure and associated staff, and services and expenses  
276 to assure continued information sharing and reporting of  
277 information to the state. The counties shall also provide  
278 additional information technology services, hardware, and  
279 software as needed for new judges and staff of the state courts  
280 system, state attorneys' offices, public defenders' offices,  
281 guardian ad litem offices, and the offices of the clerks of the  
282 circuit and county courts performing court-related functions.

283

284 This subsection applies only to matters relating to court  
285 funding and may not be construed to enhance, limit, or define  
286 the authority of any court.

287 Section 4. Subsection (4) is added to section 30.15,  
288 Florida Statutes, to read:

289 30.15 Powers, duties, and obligations.—

290 (4) (a) Sheriffs, in their respective counties, shall

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291 provide security for trial court facilities. Sheriffs shall  
292 coordinate with the chief judge of the judicial circuit in which  
293 their county is located on all security matters for such  
294 facilities, but shall retain operational control over the manner  
295 in which security is provided. The chief judge of the judicial  
296 circuit shall retain decision-making authority to ensure the  
297 protection of due process rights, including, but not limited to,  
298 the scheduling and conduct of trials and other judicial  
299 proceedings, as part of his or her responsibility for the  
300 administrative supervision of the trial courts under s. 43.26.

301 (b) Sheriffs and their deputies, employees, and contractors  
302 are officers of the court when providing security for trial  
303 court facilities under this subsection.

304 Section 5. Section 34.01, Florida Statutes, is amended to  
305 read:

306 34.01 Jurisdiction of county court.—

307 (1) County courts shall have original jurisdiction:

308 (a) In all misdemeanor cases not cognizable by the circuit  
309 courts.~~†~~

310 (b) Of all violations of municipal and county ordinances.~~†~~

311 (c) 1. Of all actions at law filed on or before December 31,  
312 2019, in which the matter in controversy does not exceed the sum  
313 of \$15,000, exclusive of interest, costs, and attorney  
314 attorney's fees, except those within the exclusive jurisdiction  
315 of the circuit courts.~~†~~ and

316 2. Of all actions at law filed on or after January 1, 2020,  
317 in which the matter in controversy does not exceed the sum of  
318 \$50,000, exclusive of interest, costs, and attorney fees, except  
319 those within the exclusive jurisdiction of the circuit courts.

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320 This limit must be adjusted every 5 years after January 1, 2020,  
321 to reflect the rate of inflation or deflation as indicated in  
322 the Consumer Price Index for All Urban Consumers, U.S. City  
323 Average, All Items, or successor reports as reported by the  
324 United States Department of Labor, Bureau of Labor Statistics,  
325 or its successor. Such adjustments must be rounded to the  
326 nearest \$5,000.

327 (d) Of disputes occurring in the homeowners' associations  
328 as described in s. 720.311(2)(a), which shall be concurrent with  
329 jurisdiction of the circuit courts.

330  
331 The party instituting an action at law under subparagraph (c)2.  
332 in which the amount in controversy exceeds \$15,000 shall pay the  
333 filing fees and service charges in the same amounts and in the  
334 same manner as provided in s. 28.241, and the party appealing  
335 any judgment on such action shall pay the filing fees and  
336 service charges in the same amounts and in the same manner as  
337 provided in s. 35.22. The clerk of court shall remit the fees as  
338 provided in those sections.

339 (2) The county courts shall have jurisdiction previously  
340 exercised by county judges' courts other than that vested in the  
341 circuit court by s. 26.012, except that county court judges may  
342 hear matters involving dissolution of marriage under the  
343 simplified dissolution procedure pursuant to the Florida Family  
344 Law Rules of Procedure or may issue a final order for  
345 dissolution in cases where the matter is uncontested, and the  
346 jurisdiction previously exercised by county courts, the claims  
347 court, small claims courts, small claims magistrates courts,  
348 magistrates courts, justice of the peace courts, municipal

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349 courts, and courts of chartered counties, including but not  
 350 limited to the counties referred to in ss. 9, 10, 11, and 24,  
 351 Art. VIII of the State Constitution of 1885, as preserved by s.  
 352 (6) (e), Art. VIII of the State Constitution of 1968.

353 (3) Judges of county courts shall also be committing trial  
 354 court judges. Judges of county courts shall be coroners unless  
 355 otherwise provided by law or by rule of the Supreme Court.

356 (4) Judges of county courts may hear all matters in equity  
 357 involved in any case within the jurisdictional amount of the  
 358 county court, except as otherwise restricted by the State  
 359 Constitution or the laws of Florida.

360 (5) A county court is a trial court.

361 Section 6. Subsections (9), (12), (17), and (28) of section  
 362 34.022, Florida Statutes, are amended to read:

363 34.022 Number of county court judges for each county.—The  
 364 number of county court judges in each county shall be as  
 365 follows:

366 COUNTY	367 TOTAL
368 (9) Citrus.....	2 ±
369 (12) Columbia.....	2 ±
370 (17) Flagler.....	2 ±
371 (28) Hillsborough.....	<u>19</u> ±7

372 Section 7. Effective upon this act becoming a law,  
 373 subsection (3) of section 105.031, Florida Statutes, is amended  
 374 to read:

375 105.031 Qualification; filing fee; candidate's oath; items  
 376 required to be filed.—

377 (3) QUALIFYING FEE.—

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378       (a) Each candidate qualifying for election to a judicial  
379 office or the office of school board member, except write-in  
380 judicial or school board candidates, shall, during the time for  
381 qualifying, pay to the officer with whom he or she qualifies a  
382 qualifying fee, which shall consist of a filing fee and an  
383 election assessment, or qualify by the petition process. The  
384 amount of the filing fee is 3 percent of the annual salary of  
385 the office sought. The amount of the election assessment is 1  
386 percent of the annual salary of the office sought. Except as  
387 provided in paragraph (b), the Department of State shall  
388 transfer all filing fees to the Department of Legal Affairs for  
389 deposit in the Elections Commission Trust Fund and the  
390 supervisor of elections shall forward all filing fees to the  
391 Elections Commission Trust Fund. The election assessment shall  
392 be deposited into the Elections Commission Trust Fund. The  
393 annual salary of the office for purposes of computing the  
394 qualifying fee shall be computed by multiplying 12 times the  
395 monthly salary authorized for such office as of July 1  
396 immediately preceding the first day of qualifying. This  
397 paragraph subsection does not apply to candidates qualifying for  
398 retention to judicial office.

399       (b) Not later than 20 days after the close of qualifying,  
400 the Department of State or the supervisor of elections, as  
401 appropriate, shall refund the full amount of the qualifying fee  
402 to a candidate for the office of circuit court judge or county  
403 court judge who is unopposed at the time the qualifying period  
404 closes.

405       Section 8. Except as otherwise expressly provided in this  
406 act and except for this section, which shall take effect upon

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becoming a law, this act shall take effect July 1, 2018.