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LEGISLATIVE ACTION

Senate

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House

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Floor: NC/2R

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05/02/2019 11:39 AM

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Senator Brandes moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective January 1, 2020, subsection (2) of
section 28.241, Florida Statutes, is amended to read:

28.241 Filing fees for trial and appellate proceedings.—

(2) (a) Upon the institution of any appellate proceeding
from any lower court to the circuit court of any such county,
including appeals filed by a county or municipality as provided
in s. 34.041(5), or from the circuit court to an appellate court



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12 of the state, the clerk shall charge and collect from the party
13 or parties instituting such appellate proceedings:

14 1. A filing fee not to exceed \$280 for filing a notice of
15 appeal from the county court to the circuit court, excluding a
16 civil case in which the matter in controversy was more than
17 \$15,000.

18 2. A filing fee not to exceed \$400 for filing a notice of
19 appeal from the county court to the circuit court for a civil
20 case in which the matter in controversy was more than \$15,000.
21 The clerk shall remit \$270 of each filing fee collected under
22 this subparagraph to the Department of Revenue for deposit into
23 the General Revenue Fund and the clerk shall remit \$50 of each
24 filing fee to the Department of Revenue for deposit into the
25 State Courts Revenue Trust Fund to fund court operations as
26 authorized in the General Appropriations Act. The clerk shall
27 retain an accounting of each such remittance. ~~and,~~

28 3. In addition to the filing fee required under s. 25.241
29 or s. 35.22, \$100 for filing a notice of appeal from the circuit
30 court to the district court of appeal or to the Supreme Court.

31 (b) If the party is determined to be indigent, the clerk
32 shall defer payment of the fee otherwise required by this
33 subsection.

34 Section 2. Paragraph (f) of subsection (2) of section
35 28.35, Florida Statutes, is amended to read:

36 28.35 Florida Clerks of Court Operations Corporation.—

37 (2) The duties of the corporation shall include the
38 following:

39 (f) Approving the proposed budgets submitted by clerks of
40 the court pursuant to s. 28.36. The corporation must ensure that



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41 the total combined budgets of the clerks of the court do not
42 exceed the total estimated revenues from fees, service charges,
43 costs, and fines for court-related functions available for
44 court-related expenditures as determined by the most recent
45 Revenue Estimating Conference, plus the total of unspent
46 budgeted funds for court-related functions carried forward by
47 the clerks of the court from the previous county fiscal year and
48 plus the balance of funds remaining in the Clerk of the Court
49 Trust Fund after the transfer of funds to the General Revenue
50 Fund required pursuant to s. 28.37(3)(b). The corporation may
51 amend any individual clerk of the court budget to ensure
52 compliance with this paragraph and must consider performance
53 measures, workload performance standards, workload measures, and
54 expense data before modifying the budget. As part of this
55 process, the corporation shall:

56 1. Calculate the minimum amount of revenue necessary for
57 each clerk of the court to efficiently perform the list of
58 court-related functions specified in paragraph (3)(a). The
59 corporation shall apply the workload measures appropriate for
60 determining the individual level of review required to fund the
61 clerk's budget.

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

66 3. Conduct an annual base budget review and an annual
67 budget exercise examining the total budget of each clerk of the
68 court. The review shall examine revenues from all sources,
69 expenses of court-related functions, and expenses of noncourt-



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70 related functions as necessary to determine that court-related
71 revenues are not being used for noncourt-related purposes. The
72 review and exercise shall identify potential targeted budget
73 reductions in the percentage amount provided in Schedule VIII-B
74 of the state's previous year's legislative budget instructions,
75 as referenced in s. 216.023(3), or an equivalent schedule or
76 instruction as may be adopted by the Legislature.

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

80 5. Identify those clerks projected to have court-related
81 revenues insufficient to fund their anticipated court-related
82 expenditures.

83 6. Use revenue estimates based on the official estimate for
84 funds from fees, service charges, costs, and fines for court-
85 related functions accruing to the clerks of the court made by
86 the Revenue Estimating Conference, as well as any unspent
87 budgeted funds for court-related functions carried forward by
88 the clerks of the court from the previous county fiscal year and
89 the balance of funds remaining in the Clerk of the Court Trust
90 Fund after the transfer of funds to the General Revenue Fund
91 required pursuant to s. 28.37(3)(b). ~~The total combined budgets~~
92 ~~of the clerks of the court may not exceed the revenue estimates~~
93 ~~established by the most recent Revenue Estimating Conference.~~

94 7. Identify pay and benefit increases in any proposed clerk
95 budget, including, but not limited to, cost of living increases,
96 merit increases, and bonuses.

97 8. Identify increases in anticipated expenditures in any
98 clerk budget that exceeds the current year budget by more than 3



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99 percent.

100 9. Identify the budget of any clerk which exceeds the
101 average budget of similarly situated clerks by more than 10
102 percent.

103

104 For the purposes of this paragraph, the term "unspent budgeted
105 funds for court-related functions" means undisbursed funds
106 included in the clerks of the courts budgets for court-related
107 functions established pursuant to this section and s. 28.36.

108 Section 3. Paragraph (b) of subsection (2) of section
109 28.36, Florida Statutes, is amended to read:

110 28.36 Budget procedure.—There is established a budget
111 procedure for the court-related functions of the clerks of the
112 court.

113 (2) Each proposed budget shall further conform to the
114 following requirements:

115 (b) The proposed budget must be balanced such that the
116 total of the estimated revenues available equals or exceeds the
117 total of the anticipated expenditures. Such revenues include
118 revenue projected to be received from fees, service charges,
119 costs, and fines for court-related functions during the fiscal
120 period covered by the budget, plus the total of unspent budgeted
121 funds for court-related functions carried forward by the clerk
122 of the court from the previous county fiscal year and plus the
123 portion of the balance of funds remaining in the Clerk of the
124 Court Trust Fund after the transfer of funds to the General
125 Revenue Fund required pursuant to s. 28.37(3)(b) which has been
126 allocated to each respective clerk of the court by the Clerk of
127 Courts Corporation. For the purposes of this paragraph, the term



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128 “unspent budgeted funds for court-related functions” means
129 undisbursed funds included in the clerk of the courts’ budget
130 for court related functions established pursuant to s. 28.35 and
131 this section. The anticipated expenditures must be itemized as
132 required by the corporation.

133 Section 4. Subsection (3) of section 28.37, Florida
134 Statutes, is amended to read:

135 28.37 Fines, fees, service charges, and costs remitted to
136 the state.—

137 (3) (a) Each year, no later than January 25, 2015, ~~and each~~
138 ~~January 25 thereafter~~ for the previous county fiscal year, the
139 clerks of court, in consultation with the Florida Clerks of
140 Court Operations Corporation, shall remit to the Department of
141 Revenue for deposit in the Clerks of the Court Trust Fund
142 ~~General Revenue Fund~~ the cumulative excess of all fines, fees,
143 service charges, and costs retained by the clerks of the court,
144 plus any funds received by the clerks of the court from the
145 Clerks of the Court Trust Fund under s. 28.36(3), which exceed
146 the amount needed to meet their authorized budget amounts
147 established under s. 28.35.

148 (b)1. No later than February 1, 2020, the Department of
149 Revenue shall transfer from the Clerks of the Court Trust Fund
150 to the General Revenue Fund the sum of the cumulative excess of
151 all fines, fees, service charges, and costs submitted by the
152 clerks of court pursuant to subsection (2) and the cumulative
153 excess of all fines, fees, service charges, and costs remitted
154 by the clerks of court pursuant to paragraph (a) in excess of
155 \$10 million.

156 2. No later than February 1, 2021, the Department of



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157 Revenue shall transfer from the Clerks of the Court Trust Fund
158 to the General Revenue Fund not less than 50 percent of the sum
159 of the cumulative excess of all fines, fees, service charges,
160 and costs submitted by the clerks of court pursuant to
161 subsection (2) and the cumulative excess of all fines, fees,
162 service charges, and costs remitted by the clerks of court
163 pursuant to paragraph (a); provided however, the balance
164 remaining in the Clerks of Courts Trust Fund after such transfer
165 may not be more than \$20 million.

166 3. No later than February 1, 2022, the Department of
167 Revenue shall transfer from the Clerks of the Court Trust Fund
168 to the General Revenue Fund not less than 50 percent of the sum
169 of the cumulative excess of all fines, fees, service charges,
170 and costs submitted by the clerks of court pursuant to
171 subsection (2) and the cumulative excess of all fines, fees,
172 service charges, and costs remitted by the clerks of court
173 pursuant to paragraph (a); provided however, the balance
174 remaining in the Clerks of Courts Trust Fund after such transfer
175 may not be more than \$20 million.

176 4. No later than February 1, 2023, and each February 1
177 thereafter, the Department of Revenue shall transfer from the
178 Clerks of the Court Trust Fund to the General Revenue Fund the
179 cumulative excess of all fines, fees, service charges, and costs
180 submitted by the clerks of court pursuant to subsection (2) and
181 the cumulative excess of all fines, fees, service charges, and
182 costs remitted by the clerks of court pursuant to paragraph (a).
183 ~~The Department of Revenue shall transfer from the Clerks of~~
184 ~~Court Trust Fund to the General Revenue Fund the cumulative~~
185 ~~excess of all fines, fees, service charges, and costs submitted~~



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186 ~~by the clerks of court pursuant to subsection (2). However, if~~
187 ~~the official estimate for funds accruing to the clerks of court~~
188 ~~made by the Revenue Estimating Conference for the current fiscal~~
189 ~~year or the next fiscal year is less than the cumulative amount~~
190 ~~of authorized budgets for the clerks of court for the current~~
191 ~~fiscal year, the Department of Revenue shall retain in the~~
192 ~~Clerks of the Court Trust Fund the estimated amount needed to~~
193 ~~fully fund the clerks of court for the current and next fiscal~~
194 ~~year based upon the current budget established under s. 28.35.~~

195 Section 5. Effective upon this act becoming a law and
196 retroactive to July 1, 2008, paragraphs (b) and (d) of
197 subsection (1) of section 27.52, Florida Statutes, is amended to
198 read:

199 27.52 Determination of indigent status.—

200 (1) APPLICATION TO THE CLERK.—A person seeking appointment
201 of a public defender under s. 27.51 based upon an inability to
202 pay must apply to the clerk of the court for a determination of
203 indigent status using an application form developed by the
204 Florida Clerks of Court Operations Corporation with final
205 approval by the Supreme Court.

206 (b) An applicant shall pay a \$50 application fee to the
207 clerk for each application for court-appointed counsel filed.
208 The applicant shall pay the fee within 7 days after submitting
209 the application. If the applicant does not pay the fee prior to
210 the disposition of the case, the clerk shall notify the court,
211 and the court shall:

212 1. Assess the application fee as part of the sentence or as
213 a condition of probation; or

214 2. Assess the application fee pursuant to s. 938.29.



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215 (d) All application fees collected by the clerk under this
216 section shall be transferred monthly by the clerk to the
217 Department of Revenue for deposit in the Indigent Criminal
218 Defense Trust Fund administered by the Justice Administrative
219 Commission, to be used to as appropriated by the Legislature.
220 The clerk may retain 2 percent of application fees collected
221 monthly for administrative costs from which the clerk shall
222 remit \$0.20 from each application fee to the Department of
223 Revenue for deposit into the General Revenue Fund prior to
224 remitting the remainder to the Department of Revenue for deposit
225 in the Indigent Criminal Defense Trust Fund.

226 Section 6. Effective upon this act becoming a law and
227 retroactive to July 1, 2008, subsections (1), (2), (3), (4),
228 (6), and (8), paragraph (b) of subsection (10), subsections
229 (13), (14), (16), (17), (18), (19), (20), and (25), and
230 paragraph (a) of subsection (26) of section 28.24, Florida
231 Statutes, are amended to read:

232 28.24 Service charges.—The clerk of the circuit court shall
233 charge for services rendered manually or electronically by the
234 clerk's office in recording documents and instruments and in
235 performing other specified duties. These charges may not exceed
236 those specified in this section, except as provided in s.
237 28.345.

238
239 Charges

241 (1) For examining, comparing, correcting, verifying, and
242 certifying transcripts of record in appellate proceedings,
243 prepared by attorney for appellant or someone else other than



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244 clerk, per page 5.00, from which the clerk shall remit 0.50 per
245 page to the Department of Revenue for deposit into the General
246 Revenue Fund.

247 (2) For preparing, numbering, and indexing an original
248 record of appellate proceedings, per instrument 3.50, from which
249 the clerk shall remit 0.50 per instrument to the Department of
250 Revenue for deposit into the General Revenue Fund.

251 (3) For certifying copies of any instrument in the public
252 records 2.00, from which the clerk shall remit 0.50 to the
253 Department of Revenue for deposit into the General Revenue Fund.

254 (4) For verifying any instrument presented for
255 certification prepared by someone other than clerk, per page
256 3.50, from which the clerk shall remit 0.50 per page to the
257 Department of Revenue for deposit into the General Revenue Fund.

258 (6) For making microfilm copies of any public records:

259 (a) 16 mm 100' microfilm roll 42.00, from which the clerk
260 shall remit 4.50 to the Department of Revenue for deposit into
261 the General Revenue Fund.

262 (b) 35 mm 100' microfilm roll 60.00, from which the clerk
263 shall remit 7.50 to the Department of Revenue for deposit into
264 the General Revenue Fund.

265 (c) Microfiche, per fiche 3.50, from which the clerk shall
266 remit 0.50 to the Department of Revenue for deposit into the
267 General Revenue Fund.

268 (8) For writing any paper other than herein specifically
269 mentioned, same as for copying, including signing and sealing
270 7.00, from which the clerk shall remit 1.00 to the Department of
271 Revenue for deposit into the General Revenue Fund.

272 (10) For receiving money into the registry of court:



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273 (b) Eminent domain actions, per deposit 170.00, from which
274 the clerk shall remit 20.00 per deposit to the Department of
275 Revenue for deposit into the General Revenue Fund.

276 (13) Oath, administering, attesting, and sealing, not
277 otherwise provided for herein 3.50, from which the clerk shall
278 remit 0.50 to the Department of Revenue for deposit into the
279 General Revenue Fund.

280 (14) For validating certificates, any authorized bonds,
281 each 3.50, from which the clerk shall remit 0.50 each to the
282 Department of Revenue for deposit into the General Revenue Fund.

283 (16) For exemplified certificates, including signing and
284 sealing 7.00, from which the clerk shall remit 1.00 to the
285 Department of Revenue for deposit into the General Revenue Fund.

286 (17) For authenticated certificates, including signing and
287 sealing 7.00, from which the clerk shall remit 1.00 to the
288 Department of Revenue for deposit into the General Revenue Fund.

289 (18) (a) For issuing and filing a subpoena for a witness,
290 not otherwise provided for herein (includes writing, preparing,
291 signing, and sealing) 7.00, from which the clerk shall remit
292 1.00 to the Department of Revenue for deposit into the General
293 Revenue Fund.

294 (b) For signing and sealing only 2.00, from which the clerk
295 shall remit 0.50 to the Department of Revenue for deposit into
296 the General Revenue Fund.

297 (19) For approving bond 8.50, from which the clerk shall
298 remit 1.00 to the Department of Revenue for deposit into the
299 General Revenue Fund.

300 (20) For searching of records, for each year's search 2.00,
301 from which the clerk shall remit 0.50 for each year's search to



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302 the Department of Revenue for deposit into the General Revenue
303 Fund.

304 (25) For sealing any court file or expungement of any
305 record 42.00, from which the clerk shall remit 4.50 to the
306 Department of Revenue for deposit into the General Revenue Fund.

307 (26) (a) For receiving and disbursing all restitution
308 payments, per payment 3.50, from which the clerk shall remit
309 0.50 per payment to the Department of Revenue for deposit into
310 the General Revenue Fund.

311 Section 7. Effective upon this act becoming a law and
312 retroactive to July 1, 2008, subsection (1) of section 28.2401,
313 Florida Statutes, is amended to read:

314 28.2401 Service charges and filing fees in probate
315 matters.—

316 (1) Except when otherwise provided, the clerk may impose
317 service charges or filing fees for the following services or
318 filings, not to exceed the following amounts:

319 (a) Fee for the opening of any estate of one document or
320 more, including, but not limited to, petitions and orders to
321 approve settlement of minor's claims; to open a safe-deposit
322 box; to enter rooms and places; for the determination of heirs,
323 if not formal administration; and for a foreign guardian to
324 manage property of a nonresident; but not to include issuance of
325 letters or order of summary administration \$230

326 (b) Charge for caveat \$40

327 (c) Fee for petition and order to admit foreign wills,
328 authenticated copies, exemplified copies, or transcript to
329 record \$230

330 (d) Fee for disposition of personal property without



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- 331 administration \$230
332 (e) Fee for summary administration—estates valued at \$1,000
333 or more \$340
334 (f) Fee for summary administration—estates valued at less
335 than \$1,000 \$230
336 (g) Fee for formal administration, guardianship, ancillary,
337 curatorship, or conservatorship proceedings \$395
338 (h) Fee for guardianship proceedings of person only \$230
339 (i) Fee for veterans' guardianship pursuant to chapter 744
340 \$230
341 (j) Charge for exemplified certificates \$7
342 (k) Fee for petition for determination of incompetency \$230
343

344 The clerk shall remit \$115 of each filing fee collected under
345 paragraphs (a), (c)-(i), and (k) to the Department of Revenue
346 for deposit into the State Courts Revenue Trust Fund and shall
347 remit \$15 of each filing fee collected under paragraphs (a),
348 (c), (d), (f), (h), (i) and (k), \$1 of each filing fee collected
349 under paragraph (j), \$5 of each filing fee collected under
350 paragraph (b), \$25 of each filing fee collected under paragraph
351 (e), and \$30 of each filing fee collected under paragraph (g) to
352 the Department of Revenue for deposit into the General Revenue
353 Fund.

354 Section 8. Effective upon this act becoming a law and
355 retroactive to July 1, 2008, subsections (1) and (2) of section
356 28.241, Florida Statutes, are amended to read:

357 28.241 Filing fees for trial and appellate proceedings.—

358 (1) Filing fees are due at the time a party files a
359 pleading to initiate a proceeding or files a pleading for



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360 relief. Reopen fees are due at the time a party files a pleading
361 to reopen a proceeding if at least 90 days have elapsed since
362 the filing of a final order or final judgment with the clerk. If
363 a fee is not paid upon the filing of the pleading as required
364 under this section, the clerk shall pursue collection of the fee
365 pursuant to s. 28.246.

366 (a)1.a. Except as provided in sub-subparagraph b. and
367 subparagraph 2., the party instituting any civil action, suit,
368 or proceeding in the circuit court shall pay to the clerk of
369 that court a filing fee of up to \$395 in all cases in which
370 there are not more than five defendants and an additional filing
371 fee of up to \$2.50, from which the clerk shall remit \$0.50 to
372 the Department of Revenue for deposit into the General Revenue
373 Fund, for each defendant in excess of five. Of the first \$200 in
374 filing fees, \$195 must be remitted to the Department of Revenue
375 for deposit into the State Courts Revenue Trust Fund, \$4 must be
376 remitted to the Department of Revenue for deposit into the
377 Administrative Trust Fund within the Department of Financial
378 Services and used to fund the contract with the Florida Clerks
379 of Court Operations Corporation created in s. 28.35, and \$1 must
380 be remitted to the Department of Revenue for deposit into the
381 Administrative Trust Fund within the Department of Financial
382 Services to fund audits of individual clerks' court-related
383 expenditures conducted by the Department of Financial Services.
384 By the 10th of each month, the clerk shall submit that portion
385 of the filing fees collected in the previous month which is in
386 excess of one-twelfth of the clerk's total budget to the
387 Department of Revenue for deposit into the Clerks of the Court
388 Trust Fund.



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389 b. The party instituting any civil action, suit, or
390 proceeding in the circuit court under chapter 39, chapter 61,
391 chapter 741, chapter 742, chapter 747, chapter 752, or chapter
392 753 shall pay to the clerk of that court a filing fee of up to
393 \$295 in all cases in which there are not more than five
394 defendants and an additional filing fee of up to \$2.50 for each
395 defendant in excess of five. Of the first \$100 in filing fees,
396 \$95 must be remitted to the Department of Revenue for deposit
397 into the State Courts Revenue Trust Fund, \$4 must be remitted to
398 the Department of Revenue for deposit into the Administrative
399 Trust Fund within the Department of Financial Services and used
400 to fund the contract with the Florida Clerks of Court Operations
401 Corporation created in s. 28.35, and \$1 must be remitted to the
402 Department of Revenue for deposit into the Administrative Trust
403 Fund within the Department of Financial Services to fund audits
404 of individual clerks' court-related expenditures conducted by
405 the Department of Financial Services.

406 c. An additional filing fee of \$4 shall be paid to the
407 clerk. The clerk shall remit \$3.50 to the Department of Revenue
408 for deposit into the Court Education Trust Fund and shall remit
409 50 cents to the Department of Revenue for deposit into the
410 Administrative Trust Fund within the Department of Financial
411 Services to fund clerk education provided by the Florida Clerks
412 of Court Operations Corporation. An additional filing fee of up
413 to \$18 shall be paid by the party seeking each severance that is
414 granted, from which the clerk shall remit \$3 to the Department
415 of Revenue for deposit into the General Revenue Fund. The clerk
416 may impose an additional filing fee of up to \$85, from which the
417 clerk shall remit \$10 to the Department of Revenue for deposit



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418 into the General Revenue Fund, for all proceedings of
419 garnishment, attachment, replevin, and distress. Postal charges
420 incurred by the clerk of the circuit court in making service by
421 certified or registered mail on defendants or other parties
422 shall be paid by the party at whose instance service is made.
423 Additional fees, charges, or costs may not be added to the
424 filing fees imposed under this section, except as authorized in
425 this section or by general law.

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

430 b. A party shall estimate in writing the amount in
431 controversy of the claim upon filing the action. For purposes of
432 this subparagraph, the value of a mortgage foreclosure action is
433 based upon the principal due on the note secured by the
434 mortgage, plus interest owed on the note and any moneys advanced
435 by the lender for property taxes, insurance, and other advances
436 secured by the mortgage, at the time of filing the foreclosure.
437 The value shall also include the value of any tax certificates
438 related to the property. In stating the value of a mortgage
439 foreclosure claim, a party shall declare in writing the total
440 value of the claim, as well as the individual elements of the
441 value as prescribed in this sub-subparagraph.

442 c. In its order providing for the final disposition of the
443 matter, the court shall identify the actual value of the claim.
444 The clerk shall adjust the filing fee if there is a difference
445 between the estimated amount in controversy and the actual value
446 of the claim and collect any additional filing fee owed or



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447 provide a refund of excess filing fee paid.

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

449 (I) Three hundred and ninety-five dollars in all cases in
450 which the value of the claim is \$50,000 or less and in which
451 there are not more than five defendants. The party shall pay an
452 additional filing fee of up to \$2.50 for each defendant in
453 excess of five. Of the first \$200 in filing fees, \$195 must be
454 remitted by the clerk to the Department of Revenue for deposit
455 into the General Revenue Fund, \$4 must be remitted to the
456 Department of Revenue for deposit into the Administrative Trust
457 Fund within the Department of Financial Services and used to
458 fund the contract with the Florida Clerks of Court Operations
459 Corporation created in s. 28.35, and \$1 must be remitted to the
460 Department of Revenue for deposit into the Administrative Trust
461 Fund within the Department of Financial Services to fund audits
462 of individual clerks' court-related expenditures conducted by
463 the Department of Financial Services;

464 (II) Nine hundred dollars in all cases in which the value
465 of the claim is more than \$50,000 but less than \$250,000 and in
466 which there are not more than five defendants. The party shall
467 pay an additional filing fee of up to \$2.50 for each defendant
468 in excess of five. Of the first \$705 in filing fees, \$700 must
469 be remitted by the clerk to the Department of Revenue for
470 deposit into the General Revenue Fund, except that the first
471 \$1.5 million in such filing fees remitted to the Department of
472 Revenue and deposited into the General Revenue Fund in fiscal
473 year 2018-2019 shall be distributed to the Miami-Dade County
474 Clerk of Court; \$4 must be remitted to the Department of Revenue
475 for deposit into the Administrative Trust Fund within the



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476 Department of Financial Services and used to fund the contract
477 with the Florida Clerks of Court Operations Corporation created
478 in s. 28.35; and \$1 must be remitted to the Department of
479 Revenue for deposit into the Administrative Trust Fund within
480 the Department of Financial Services to fund audits of
481 individual clerks' court-related expenditures conducted by the
482 Department of Financial Services; or

483 (III) One thousand nine hundred dollars in all cases in
484 which the value of the claim is \$250,000 or more and in which
485 there are not more than five defendants. The party shall pay an
486 additional filing fee of up to \$2.50 for each defendant in
487 excess of five. Of the first \$1,705 in filing fees, \$930 must be
488 remitted by the clerk to the Department of Revenue for deposit
489 into the General Revenue Fund, \$770 must be remitted to the
490 Department of Revenue for deposit into the State Courts Revenue
491 Trust Fund, \$4 must be remitted to the Department of Revenue for
492 deposit into the Administrative Trust Fund within the Department
493 of Financial Services to fund the contract with the Florida
494 Clerks of Court Operations Corporation created in s. 28.35, and
495 \$1 must be remitted to the Department of Revenue for deposit
496 into the Administrative Trust Fund within the Department of
497 Financial Services to fund audits of individual clerks' court-
498 related expenditures conducted by the Department of Financial
499 Services.

500 e. An additional filing fee of \$4 shall be paid to the
501 clerk. The clerk shall remit \$3.50 to the Department of Revenue
502 for deposit into the Court Education Trust Fund and shall remit
503 50 cents to the Department of Revenue for deposit into the
504 Administrative Trust Fund within the Department of Financial



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505 Services to fund clerk education provided by the Florida Clerks
506 of Court Operations Corporation. An additional filing fee of up
507 to \$18 shall be paid by the party seeking each severance that is
508 granted. The clerk may impose an additional filing fee of up to
509 \$85 for all proceedings of garnishment, attachment, replevin,
510 and distress. Postal charges incurred by the clerk of the
511 circuit court in making service by certified or registered mail
512 on defendants or other parties shall be paid by the party at
513 whose instance service is made. Additional fees, charges, or
514 costs may not be added to the filing fees imposed under this
515 section, except as authorized in this section or by general law.

516 (b) A party reopening any civil action, suit, or proceeding
517 in the circuit court shall pay to the clerk of court a filing
518 fee set by the clerk in an amount not to exceed \$50. For
519 purposes of this section, a case is reopened after all appeals
520 have been exhausted or time to file an appeal from a final order
521 or final judgment has expired. A reopen fee may be assessed by
522 the clerk for any motion filed by any party at least 90 days
523 after a final order or final judgment has been filed with the
524 clerk in the initial case. A reservation of jurisdiction by a
525 court does not cause a case to remain open for purposes of this
526 section or exempt a party from paying a reopen fee. A party is
527 exempt from paying the fee for any of the following:

- 528 1. A writ of garnishment;
- 529 2. A writ of replevin;
- 530 3. A distress writ;
- 531 4. A writ of attachment;
- 532 5. A motion for rehearing filed within 10 days;
- 533 6. A motion for attorney's fees filed within 30 days after



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534 entry of a judgment or final order;
535 7. A motion for dismissal filed after a mediation agreement
536 has been filed;
537 8. A disposition of personal property without
538 administration;
539 9. Any probate case prior to the discharge of a personal
540 representative;
541 10. Any guardianship pleading prior to discharge;
542 11. Any mental health pleading;
543 12. Motions to withdraw by attorneys;
544 13. Motions exclusively for the enforcement of child
545 support orders;
546 14. A petition for credit of child support;
547 15. A Notice of Intent to Relocate and any order issuing as
548 a result of an uncontested relocation;
549 16. Stipulations and motions to enforce stipulations;
550 17. Responsive pleadings;
551 18. Cases in which there is no initial filing fee; or
552 19. Motions for contempt.
553 (c)1. A party in addition to a party described in sub-
554 subparagraph (a)1.a. who files a pleading in an original civil
555 action in circuit court for affirmative relief by cross-claim,
556 counterclaim, counterpetition, or third-party complaint shall
557 pay the clerk of court a fee of \$395. A party in addition to a
558 party described in sub-subparagraph (a)1.b. who files a pleading
559 in an original civil action in circuit court for affirmative
560 relief by cross-claim, counterclaim, counterpetition, or third-
561 party complaint shall pay the clerk of court a fee of \$295. The
562 clerk shall deposit the fee into the fine and forfeiture fund



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563 established pursuant to s. 142.01.

564 2. A party in addition to a party described in subparagraph
565 (a)2. who files a pleading in an original civil action in
566 circuit court for affirmative relief by cross-claim,
567 counterclaim, counterpetition, or third-party complaint shall
568 pay the clerk of court a graduated fee of:

569 a. Three hundred and ninety-five dollars in all cases in
570 which the value of the pleading is \$50,000 or less;

571 b. Nine hundred dollars in all cases in which the value of
572 the pleading is more than \$50,000 but less than \$250,000; or

573 c. One thousand nine hundred dollars in all cases in which
574 the value of the pleading is \$250,000 or more.

575

576 The clerk shall deposit the fees collected under this
577 subparagraph into the fine and forfeiture fund established
578 pursuant to s. 142.01.

579 (d) The clerk of court shall collect a service charge of
580 \$10 for issuing an original, a certified copy, or an electronic
581 certified copy of a summons, which the clerk shall remit to the
582 Department of Revenue for deposit into the General Revenue Fund.
583 The clerk shall assess the fee against the party seeking to have
584 the summons issued.

585 (2) Upon the institution of any appellate proceeding from
586 any lower court to the circuit court of any such county,
587 including appeals filed by a county or municipality as provided
588 in s. 34.041(5), or from the circuit court to an appellate court
589 of the state, the clerk shall charge and collect from the party
590 or parties instituting such appellate proceedings a filing fee
591 not to exceed \$280, from which the clerk shall remit \$20 to the



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592 Department of Revenue for deposit into the General Revenue Fund,
593 for filing a notice of appeal from the county court to the
594 circuit court and, in addition to the filing fee required under
595 s. 25.241 or s. 35.22, \$100 for filing a notice of appeal from
596 the circuit court to the district court of appeal or to the
597 Supreme Court. If the party is determined to be indigent, the
598 clerk shall defer payment of the fee.

599 Section 9. Effective January 1, 2020, subsection (1) of
600 section 34.01, Florida Statutes, is amended to read:

601 34.01 Jurisdiction of county court.—

602 (1) County courts shall have original jurisdiction:

603 (a) In all misdemeanor cases not cognizable by the circuit
604 courts.~~;~~

605 (b) Of all violations of municipal and county ordinances.~~;~~

606 (c) Of all actions at law, except those within the
607 exclusive jurisdiction of the circuit courts, in which the
608 matter in controversy does not exceed ~~the sum of \$15,000,~~
609 exclusive of interest, costs, and attorney ~~attorney's~~ fees;~~;~~
610 ~~except those within the exclusive jurisdiction of the circuit~~
611 ~~courts; and~~

612 1. If filed on or before December 31, 2019, the sum of
613 \$15,000.

614 2. If filed on or after January 1, 2020, the sum of
615 \$30,000.

616 3. If filed on or after January 1, 2022, the sum of
617 \$50,000.

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



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621
622 By March 1, 2021, the Office of the State Courts Administrator
623 shall submit a report to the Governor, the President of the
624 Senate, and the Speaker of the House of Representatives. The
625 report must make recommendations regarding the adjustment of
626 county court jurisdiction, including, but not limited to,
627 consideration of the claim value of filings in county court and
628 circuit court, case events, timeliness in processing cases, and
629 any fiscal impact to the state as a result of adjusted
630 jurisdictional limits. The clerks of the circuit court and
631 county court shall provide claim value data and necessary case
632 event data to the office to be used in development of the
633 report. The report must also include a review of fees to ensure
634 that the court system is adequately funded and a review of the
635 appellate jurisdiction of the district courts and the circuit
636 courts.

637 Section 10. Effective upon this act becoming a law and
638 retroactive to July 1, 2008, paragraphs (a), (b), (c), and (d)
639 of subsection (1) of section 34.041, Florida Statutes, are
640 amended, and paragraph (e) is added to that subsection, to read:

641 34.041 Filing fees.—

642 (1) (a) Filing fees are due at the time a party files a
643 pleading to initiate a proceeding or files a pleading for
644 relief. Reopen fees are due at the time a party files a pleading
645 to reopen a proceeding if at least 90 days have elapsed since
646 the filing of a final order or final judgment with the clerk. If
647 a fee is not paid upon the filing of the pleading as required
648 under this section, the clerk shall pursue collection of the fee
649 pursuant to s. 28.246. Upon the institution of any civil action,



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650 suit, or proceeding in county court, the party shall pay the
651 following filing fee, not to exceed:
652 1. For all claims less than \$100.....\$50.
653 2. For all claims of \$100 or more but not more than
654 \$500.....\$75.
655 3. For all claims of more than \$500 but not more than
656 \$2,500.....\$170, from which the clerk shall remit \$20 to the
657 Department of Revenue for deposit into the General Revenue Fund.
658 4. For all claims of more than \$2,500 but not more than
659 \$15,000.....\$295.
660 5. For all claims more than \$15,000.....\$395.
661 ~~6.5.~~ In addition, for all proceedings of garnishment,
662 attachment, replevin, and distress.....\$85, from which the clerk
663 shall remit \$10 to the Department of Revenue for deposit into
664 the General Revenue Fund.
665 ~~7.6.~~ Notwithstanding subparagraphs 3. and ~~6. 5.~~, for all
666 claims of not more than \$1,000 filed simultaneously with an
667 action for replevin of property that is the subject of the
668 claim.....\$125.
669 ~~8.7.~~ For removal of tenant action.....\$180.
670
671 The filing fee in subparagraph ~~7. 6.~~ is the total fee due under
672 this paragraph for that type of filing, and no other filing fee
673 under this paragraph may be assessed against such a filing.
674 (b) The first \$15 of the filing fee collected under
675 subparagraph (a)4. and the first \$10 of the filing fee collected
676 under subparagraph (a)8. ~~subparagraph (a)7.~~ shall be deposited
677 in the State Courts Revenue Trust Fund. By the 10th day of each
678 month, the clerk shall submit that portion of the fees collected



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679 in the previous month which is in excess of one-twelfth of the
680 clerk's total budget for the performance of court-related
681 functions to the Department of Revenue for deposit into the
682 Clerks of the Court Trust Fund. An additional filing fee of \$4
683 shall be paid to the clerk. The clerk shall transfer \$3.50 to
684 the Department of Revenue for deposit into the Court Education
685 Trust Fund and shall transfer 50 cents to the Department of
686 Revenue for deposit into the Administrative Trust Fund within
687 the Department of Financial Services to fund clerk education
688 provided by the Florida Clerks of Court Operations Corporation.
689 Postal charges incurred by the clerk of the county court in
690 making service by mail on defendants or other parties shall be
691 paid by the party at whose instance service is made. Except as
692 provided in this section, filing fees and service charges for
693 performing duties of the clerk relating to the county court
694 shall be as provided in ss. 28.24 and 28.241. Except as
695 otherwise provided in this section, all filing fees shall be
696 retained as fee income of the office of the clerk of the circuit
697 court. Filing fees imposed by this section may not be added to
698 any penalty imposed by chapter 316 or chapter 318.

699 (c) A party in addition to a party described in paragraph
700 (a) who files a pleading in an original civil action in the
701 county court for affirmative relief by cross-claim,
702 counterclaim, counterpetition, or third-party complaint, or who
703 files a notice of cross-appeal or notice of joinder or motion to
704 intervene as an appellant, cross-appellant, or petitioner, shall
705 pay the clerk of court a fee of \$295 if the relief sought by the
706 party under this paragraph exceeds \$2,500 but is not more than
707 \$15,000 and \$395 if the relief sought by the party under this



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708 paragraph exceeds \$15,000. The clerk shall remit the fee if the
709 relief sought by the party under this paragraph exceeds \$2,500
710 but is not more than \$15,000 to the Department of Revenue for
711 deposit into the General Revenue Fund. This fee does not apply
712 if the cross-claim, counterclaim, counterpetition, or third-
713 party complaint requires transfer of the case from county to
714 circuit court. However, the party shall pay to the clerk the
715 standard filing fee for the court to which the case is to be
716 transferred.

717 (d) The clerk of court shall collect a service charge of
718 \$10 for issuing a summons or an electronic certified copy of a
719 summons, which the clerk shall remit to the Department of
720 Revenue for deposit into the General Revenue Fund. The clerk
721 shall assess the fee against the party seeking to have the
722 summons issued.

723 (e) Of the first \$200 in filing fees payable under
724 subparagraph (a)5., \$195 must be remitted to the Department of
725 Revenue for deposit into the State Courts Revenue Trust Fund, \$4
726 must be remitted to the Department of Revenue for deposit into
727 the Administrative Trust Fund within the Department of Financial
728 Services and used to fund the contract with the Florida Clerks
729 of Court Operations Corporation created in s. 28.35, and \$1 must
730 be remitted to the Department of Revenue for deposit into the
731 Administrative Trust Fund within the Department of Financial
732 Services to fund audits of individual clerks' court-related
733 expenditures conducted by the Department of Financial Services.
734 By the 10th day of each month, the clerk shall submit that
735 portion of the filing fees collected pursuant to this subsection
736 in the previous month which is in excess of one-twelfth of the



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737 clerk's total budget to the Department of Revenue for deposit
738 into the Clerks of the Court Trust Fund.

739 Section 11. Effective January 1, 2020, section 44.108,
740 Florida Statutes, is amended to read:

741 44.108 Funding of mediation and arbitration.—

742 (1) Mediation and arbitration should be accessible to all
743 parties regardless of financial status. A filing fee of \$1 is
744 levied on all proceedings in the circuit or county courts to
745 fund mediation and arbitration services which are the
746 responsibility of the Supreme Court pursuant to the provisions
747 of s. 44.106. However, the filing fee may not be levied upon an
748 appeal from the county court to the circuit court for a claim
749 that is greater than \$15,000. The clerk of the court shall
750 forward the moneys collected to the Department of Revenue for
751 deposit in the State Courts Revenue Trust Fund.

752 (2) When court-ordered mediation services are provided by a
753 circuit court's mediation program, the following fees, unless
754 otherwise established in the General Appropriations Act, shall
755 be collected by the clerk of court:

756 (a) One-hundred twenty dollars per person per scheduled
757 session in family mediation when the parties' combined income is
758 greater than \$50,000, but less than \$100,000 per year;

759 (b) Sixty dollars per person per scheduled session in
760 family mediation when the parties' combined income is less than
761 \$50,000; or

762 (c) Sixty dollars per person per scheduled session in
763 county court cases involving an amount in controversy not
764 exceeding \$15,000.

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766 No mediation fees shall be assessed under this subsection in
767 residential eviction cases, against a party found to be
768 indigent, or for any small claims action. Fees collected by the
769 clerk of court pursuant to this section shall be remitted to the
770 Department of Revenue for deposit into the State Courts Revenue
771 Trust Fund to fund court-ordered mediation. The clerk of court
772 may deduct \$1 per fee assessment for processing this fee. The
773 clerk of the court shall submit to the chief judge of the
774 circuit and to the Office of the State Courts Administrator, no
775 later than 30 days after the end of each quarter of the fiscal
776 year, a report specifying the amount of funds collected and
777 remitted to the State Courts Revenue Trust Fund under this
778 section and any other section during the previous quarter of the
779 fiscal year. In addition to identifying the total aggregate
780 collections and remissions from all statutory sources, the
781 report must identify collections and remissions by each
782 statutory source.

783 Section 12. Effective upon this act becoming a law and
784 retroactive to July 1, 2008, subsection (1) of section 45.035,
785 Florida Statutes, is amended to read:

786 45.035 Clerk's fees.—In addition to other fees or service
787 charges authorized by law, the clerk shall receive service
788 charges related to the judicial sales procedure set forth in ss.
789 45.031-45.034 and this section:

790 (1) The clerk shall receive a service charge of \$70, from
791 which the clerk shall remit \$10 to the Department of Revenue for
792 deposit into the General Revenue Fund, for services in making,
793 recording, and certifying the sale and title, which service
794 charge shall be assessed as costs and shall be advanced by the



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795 plaintiff before the sale.

796 (2) If there is a surplus resulting from the sale, the
797 clerk may receive the following service charges, which shall be
798 deducted from the surplus:

799 (c) The clerk is entitled to a service charge of \$15 for
800 each disbursement of surplus proceeds, from which the clerk
801 shall remit \$5 to the Department of Revenue for deposit into the
802 General Revenue Fund.

803 Section 13. Effective upon this act becoming a law and
804 retroactive to July 1, 2008, subsection (3) of section 55.505,
805 Florida Statutes, is amended to read:

806 55.505 Notice of recording; prerequisite to enforcement.—

807 (3) No execution or other process for enforcement of a
808 foreign judgment recorded hereunder shall issue until 30 days
809 after the mailing of notice by the clerk and payment of a
810 service charge of up to \$42 to the clerk, from which the clerk
811 shall remit \$4.50 to the Department of Revenue for deposit into
812 the General Revenue Fund. When an action authorized in s.

813 55.509(1) is filed, it acts as an automatic stay of the effect
814 of this section.

815 Section 14. Effective upon this act becoming a law and
816 retroactive to July 1, 2008, paragraphs (b), (d), (e), and (f)
817 of subsection (6) of section 61.14, Florida Statutes, are
818 amended to read:

819 61.14 Enforcement and modification of support, maintenance,
820 or alimony agreements or orders.—

821 (6)

822 (b)1. When an obligor is 15 days delinquent in making a
823 payment or installment of support and the amount of the



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824 delinquency is greater than the periodic payment amount ordered
825 by the court, the local depository shall serve notice on the
826 obligor informing him or her of:

827 a. The delinquency and its amount.

828 b. An impending judgment by operation of law against him or
829 her in the amount of the delinquency and all other amounts which
830 thereafter become due and are unpaid, together with costs and a
831 service charge of up to \$25, from which the clerk shall remit
832 \$17.50 to the Department of Revenue for deposit into the General
833 Revenue Fund, for failure to pay the amount of the delinquency.

834 c. The obligor's right to contest the impending judgment
835 and the ground upon which such contest can be made.

836 d. The local depository's authority to release information
837 regarding the delinquency to one or more credit reporting
838 agencies.

839 2. The local depository shall serve the notice by mailing
840 it by first class mail to the obligor at his or her last address
841 of record with the local depository. If the obligor has no
842 address of record with the local depository, service shall be by
843 publication as provided in chapter 49.

844 3. When service of the notice is made by mail, service is
845 complete on the date of mailing.

846 (d) The court shall hear the obligor's motion to contest
847 the impending judgment within 15 days after the date of filing
848 of the motion. Upon the court's denial of the obligor's motion,
849 the amount of the delinquency and all other amounts that become
850 due, together with costs and a service charge of up to \$25, from
851 which the clerk shall remit \$17.50 to the Department of Revenue
852 for deposit into the General Revenue Fund, become a final



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853 judgment by operation of law against the obligor. The depository
854 shall charge interest at the rate established in s. 55.03 on all
855 judgments for support. Payments on judgments shall be applied
856 first to the current child support due, then to any delinquent
857 principal, and then to interest on the support judgment.

858 (e) If the obligor fails to file a motion to contest the
859 impending judgment within the time limit prescribed in paragraph
860 (c) and fails to pay the amount of the delinquency and all other
861 amounts which thereafter become due, together with costs and a
862 service charge of up to \$25, from which the clerk shall remit
863 \$17.50 to the Department of Revenue for deposit into the General
864 Revenue Fund, such amounts become a final judgment by operation
865 of law against the obligor at the expiration of the time for
866 filing a motion to contest the impending judgment.

867 (f)1. Upon request of any person, the local depository
868 shall issue, upon payment of a service charge of up to \$25, from
869 which the clerk shall remit \$17.50 to the Department of Revenue
870 for deposit into the General Revenue Fund, a payoff statement of
871 the total amount due under the judgment at the time of the
872 request. The statement may be relied upon by the person for up
873 to 30 days from the time it is issued unless proof of
874 satisfaction of the judgment is provided.

875 2. When the depository records show that the obligor's
876 account is current, the depository shall record a satisfaction
877 of the judgment upon request of any interested person and upon
878 receipt of the appropriate recording fee. Any person shall be
879 entitled to rely upon the recording of the satisfaction.

880 3. The local depository, at the direction of the
881 department, or the obligee in a non-IV-D case, may partially



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882 release the judgment as to specific real property, and the
883 depository shall record a partial release upon receipt of the
884 appropriate recording fee.

885 4. The local depository is not liable for errors in its
886 recordkeeping, except when an error is a result of unlawful
887 activity or gross negligence by the clerk or his or her
888 employees.

889 Section 15. Effective upon this act becoming a law and
890 retroactive to July 1, 2008, subsections (2) and (4) of section
891 316.193, Florida Statutes, are amended to read:

892 316.193 Driving under the influence; penalties.-

893 (2) (a) Except as provided in paragraph (b), subsection (3),
894 or subsection (4), any person who is convicted of a violation of
895 subsection (1) shall be punished:

896 1. By a fine of:

897 a. Not less than \$500 or more than \$1,000 for a first
898 conviction.

899 b. Not less than \$1,000 or more than \$2,000 for a second
900 conviction; and

901 2. By imprisonment for:

902 a. Not more than 6 months for a first conviction.

903 b. Not more than 9 months for a second conviction.

904 3. For a second conviction, by mandatory placement for a
905 period of at least 1 year, at the convicted person's sole
906 expense, of an ignition interlock device approved by the
907 department in accordance with s. 316.1938 upon all vehicles that
908 are individually or jointly leased or owned and routinely
909 operated by the convicted person, when the convicted person
910 qualifies for a permanent or restricted license. The



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911 installation of such device may not occur before July 1, 2003.

912

913 The portion of a fine imposed in excess of \$500 pursuant to sub-
914 subparagraph 1.a. and the portion of a fine imposed in excess of
915 \$1,000 pursuant to sub-subparagraph 1.b., shall be remitted by
916 the clerk to the Department of Revenue for deposit into the
917 General Revenue Fund.

918 (b)1. Any person who is convicted of a third violation of
919 this section for an offense that occurs within 10 years after a
920 prior conviction for a violation of this section commits a
921 felony of the third degree, punishable as provided in s.
922 775.082, s. 775.083, or s. 775.084. In addition, the court shall
923 order the mandatory placement for a period of not less than 2
924 years, at the convicted person's sole expense, of an ignition
925 interlock device approved by the department in accordance with
926 s. 316.1938 upon all vehicles that are individually or jointly
927 leased or owned and routinely operated by the convicted person,
928 when the convicted person qualifies for a permanent or
929 restricted license. The installation of such device may not
930 occur before July 1, 2003.

931 2. Any person who is convicted of a third violation of this
932 section for an offense that occurs more than 10 years after the
933 date of a prior conviction for a violation of this section shall
934 be punished by a fine of not less than \$2,000 or more than
935 \$5,000 and by imprisonment for not more than 12 months. The
936 portion of a fine imposed in excess of \$2,500 pursuant to this
937 subparagraph shall be remitted by the clerk to the Department of
938 Revenue for deposit into the General Revenue Fund. In addition,
939 the court shall order the mandatory placement for a period of at



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940 least 2 years, at the convicted person's sole expense, of an
941 ignition interlock device approved by the department in
942 accordance with s. 316.1938 upon all vehicles that are
943 individually or jointly leased or owned and routinely operated
944 by the convicted person, when the convicted person qualifies for
945 a permanent or restricted license. The installation of such
946 device may not occur before July 1, 2003.

947 3. Any person who is convicted of a fourth or subsequent
948 violation of this section, regardless of when any prior
949 conviction for a violation of this section occurred, commits a
950 felony of the third degree, punishable as provided in s.
951 775.082, s. 775.083, or s. 775.084. However, the fine imposed
952 for such fourth or subsequent violation may be not less than
953 \$2,000. The portion of a fine imposed in excess of \$1,000
954 pursuant to this subparagraph shall be remitted by the clerk to
955 the Department of Revenue for deposit into the General Revenue
956 Fund.

957 (c) In addition to the penalties in paragraph (a), the
958 court may order placement, at the convicted person's sole
959 expense, of an ignition interlock device approved by the
960 department in accordance with s. 316.1938 for at least 6
961 continuous months upon all vehicles that are individually or
962 jointly leased or owned and routinely operated by the convicted
963 person if, at the time of the offense, the person had a blood-
964 alcohol level or breath-alcohol level of .08 or higher.

965 (4) Any person who is convicted of a violation of
966 subsection (1) and who has a blood-alcohol level or breath-
967 alcohol level of 0.15 or higher, or any person who is convicted
968 of a violation of subsection (1) and who at the time of the



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969 offense was accompanied in the vehicle by a person under the age
970 of 18 years, shall be punished:

971 (a) By a fine of:

972 1. Not less than \$1,000 or more than \$2,000 for a first
973 conviction.

974 2. Not less than \$2,000 or more than \$4,000 for a second
975 conviction.

976 3. Not less than \$4,000 for a third or subsequent
977 conviction.

978 (b) By imprisonment for:

979 1. Not more than 9 months for a first conviction.

980 2. Not more than 12 months for a second conviction.

981

982 For the purposes of this subsection, only the instant offense is
983 required to be a violation of subsection (1) by a person who has
984 a blood-alcohol level or breath-alcohol level of 0.15 or higher.

985

986 The portion of a fine imposed in excess of \$1,000 pursuant to
987 sub-subparagraph (a)1. and the portion of a fine imposed in
988 excess of \$2,000 pursuant to sub-subparagraph (a)2. or (a)3,
989 shall be remitted by the clerk to the Department of Revenue for
990 deposit into the General Revenue Fund.

991 (c) In addition to the penalties in paragraphs (a) and (b),
992 the court shall order the mandatory placement, at the convicted
993 person's sole expense, of an ignition interlock device approved
994 by the department in accordance with s. 316.1938 upon all
995 vehicles that are individually or jointly leased or owned and
996 routinely operated by the convicted person for not less than 6
997 continuous months for the first offense and for not less than 2



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998 continuous years for a second offense, when the convicted person
999 qualifies for a permanent or restricted license.

1000 Section 16. Effective upon this act becoming a law and
1001 retroactive to July 1, 2008, paragraph (b) of subsection (10) of
1002 section 318.14, Florida Statutes, is amended to read:

1003 318.14 Noncriminal traffic infractions; exception;
1004 procedures.-

1005 (10)

1006 (b) Any person cited for an offense listed in this
1007 subsection shall present proof of compliance before the
1008 scheduled court appearance date. For the purposes of this
1009 subsection, proof of compliance shall consist of a valid,
1010 renewed, or reinstated driver license or registration
1011 certificate and proper proof of maintenance of security as
1012 required by s. 316.646. Notwithstanding waiver of fine, any
1013 person establishing proof of compliance shall be assessed court
1014 costs of \$25, except that a person charged with violation of s.
1015 316.646(1)-(3) may be assessed court costs of \$8. One dollar of
1016 such costs shall be remitted to the Department of Revenue for
1017 deposit into the Child Welfare Training Trust Fund of the
1018 Department of Children and Families. One dollar of such costs
1019 shall be distributed to the Department of Juvenile Justice for
1020 deposit into the Juvenile Justice Training Trust Fund. Fourteen
1021 dollars of such costs shall be distributed to the municipality,
1022 \$1 shall be remitted to the Department of Revenue for deposit
1023 into the General Revenue Fund and \$ 8 ~~9~~ shall be deposited by
1024 the clerk of the court into the fine and forfeiture fund
1025 established pursuant to s. 142.01, if the offense was committed
1026 within the municipality. If the offense was committed in an



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1027 unincorporated area of a county or if the citation was for a
1028 violation of s. 316.646(1)-(3), the entire amount shall be
1029 deposited by the clerk of the court into the fine and forfeiture
1030 fund established pursuant to s. 142.01, except for the moneys to
1031 be deposited into the Child Welfare Training Trust Fund and the
1032 Juvenile Justice Training Trust Fund and \$3 which the clerk
1033 shall remit to the Department of Revenue for deposit into the
1034 General Revenue Fund. This subsection does not authorize the
1035 operation of a vehicle without a valid driver license, without a
1036 valid vehicle tag and registration, or without the maintenance
1037 of required security.

1038 Section 17. Effective upon this act becoming a law and
1039 retroactive to July 1, 2008, paragraph (b) of subsection (1) of
1040 section 318.15, Florida Statutes, is amended to read:

1041 318.15 Failure to comply with civil penalty or to appear;
1042 penalty.-

1043 (1)

1044 (b) However, a person who elects to attend driver
1045 improvement school and has paid the civil penalty as provided in
1046 s. 318.14(9) but who subsequently fails to attend the driver
1047 improvement school within the time specified by the court is
1048 deemed to have admitted the infraction and shall be adjudicated
1049 guilty. If the person received a 9-percent reduction pursuant to
1050 s. 318.14(9), the person must pay the clerk of the court that
1051 amount and a processing fee of up to \$18, from which the clerk
1052 shall remit \$3 to the Department of Revenue for deposit into the
1053 General Revenue Fund, after which additional penalties, court
1054 costs, or surcharges may not be imposed for the violation. In
1055 all other such cases, the person must pay the clerk a processing



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1056 fee of up to \$18, from which the clerk shall remit \$3 to the
1057 Department of Revenue for deposit into the General Revenue Fund,
1058 after which additional penalties, court costs, or surcharges may
1059 not be imposed for the violation. The clerk of the court shall
1060 notify the department of the person's failure to attend driver
1061 improvement school and points shall be assessed pursuant to s.
1062 322.27.

1063 Section 18. Effective upon this act becoming a law and
1064 retroactive to July 1, 2008, paragraphs (b) and (c) of
1065 subsection (2), subsection (11) and subsection (18) of section
1066 318.18, Florida Statutes, are amended to read:

1067 318.18 Amount of penalties.—The penalties required for a
1068 noncriminal disposition pursuant to s. 318.14 or a criminal
1069 offense listed in s. 318.17 are as follows:

1070 (2) Thirty dollars for all nonmoving traffic violations
1071 and:

1072 (b) For all violations of ss. 320.0605, 320.07(1), 322.065,
1073 and 322.15(1). Any person who is cited for a violation of s.
1074 320.07(1) shall be charged a delinquent fee pursuant to s.
1075 320.07(4).

1076 1. If a person who is cited for a violation of s. 320.0605
1077 or s. 320.07 can show proof of having a valid registration at
1078 the time of arrest, the clerk of the court may dismiss the case
1079 and may assess a dismissal fee of up to \$10, from which the
1080 clerk shall remit \$2.50 to the Department of Revenue for deposit
1081 into the General Revenue Fund. A person who finds it impossible
1082 or impractical to obtain a valid registration certificate must
1083 submit an affidavit detailing the reasons for the impossibility
1084 or impracticality. The reasons may include, but are not limited



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1085 to, the fact that the vehicle was sold, stolen, or destroyed;
1086 that the state in which the vehicle is registered does not issue
1087 a certificate of registration; or that the vehicle is owned by
1088 another person.

1089 2. If a person who is cited for a violation of s. 322.03,
1090 s. 322.065, or s. 322.15 can show a driver license issued to him
1091 or her and valid at the time of arrest, the clerk of the court
1092 may dismiss the case and may assess a dismissal fee of up to
1093 \$10, from which the clerk shall remit \$2.50 to the Department of
1094 Revenue for deposit into the General Revenue Fund.

1095 3. If a person who is cited for a violation of s. 316.646
1096 can show proof of security as required by s. 627.733, issued to
1097 the person and valid at the time of arrest, the clerk of the
1098 court may dismiss the case and may assess a dismissal fee of up
1099 to \$10, from which the clerk shall remit \$2.50 to the Department
1100 of Revenue for deposit into the General Revenue Fund. A person
1101 who finds it impossible or impractical to obtain proof of
1102 security must submit an affidavit detailing the reasons for the
1103 impracticality. The reasons may include, but are not limited to,
1104 the fact that the vehicle has since been sold, stolen, or
1105 destroyed; that the owner or registrant of the vehicle is not
1106 required by s. 627.733 to maintain personal injury protection
1107 insurance; or that the vehicle is owned by another person.

1108 (c) For all violations of ss. 316.2935 and 316.610.
1109 However, for a violation of s. 316.2935 or s. 316.610, if the
1110 person committing the violation corrects the defect and obtains
1111 proof of such timely repair by an affidavit of compliance
1112 executed by the law enforcement agency within 30 days from the
1113 date upon which the traffic citation was issued, and pays \$4 to



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1114 the law enforcement agency, thereby completing the affidavit of
1115 compliance, then upon presentation of said affidavit by the
1116 defendant to the clerk within the 30-day time period set forth
1117 under s. 318.14(4), the fine must be reduced to \$10, which the
1118 clerk of the court shall retain and from which the clerk shall
1119 remit \$2.50 to the Department of Revenue for deposit into the
1120 General Revenue Fund.

1121 (11) (a) In addition to the stated fine, court costs must be
1122 paid in the following amounts and shall be deposited by the
1123 clerk into the fine and forfeiture fund established pursuant to
1124 s. 142.01 except as provided in this paragraph:

1125 For pedestrian infractions \$4, from which the clerk shall
1126 remit \$1 to the Department of Revenue for deposit into the
1127 General Revenue Fund.

1128 For nonmoving traffic infractions \$18, from which the
1129 clerk shall remit \$2 to the Department of Revenue for deposit
1130 into the General Revenue Fund.

1131 For moving traffic infractions \$35, from which the clerk
1132 shall remit \$5 to the Department of Revenue for deposit into the
1133 General Revenue Fund.

1134 (18) In addition to any penalties imposed, an
1135 administrative fee of \$12.50 must be paid for all noncriminal
1136 moving and nonmoving violations under chapters 316, 320, and
1137 322. The clerk shall remit the administrative fee to the
1138 Department of Revenue for deposit into the General Revenue Fund.
1139 ~~Revenue from the administrative fee shall be deposited by the~~
1140 ~~clerk of court into the fine and forfeiture fund established~~
1141 ~~pursuant to s. 142.01.~~

1142 Section 19. Effective upon this act becoming a law and



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1143 retroactive to July 1, 2008, subsections (1) and (2) of section
1144 322.245, Florida Statutes, are amended to read:

1145 322.245 Suspension of license upon failure of person
1146 charged with specified offense under chapter 316, chapter 320,
1147 or this chapter to comply with directives ordered by traffic
1148 court or upon failure to pay child support in non-IV-D cases as
1149 provided in chapter 61 or failure to pay any financial
1150 obligation in any other criminal case.—

1151 (1) If a person charged with a violation of any of the
1152 criminal offenses enumerated in s. 318.17 or with the commission
1153 of any offense constituting a misdemeanor under chapter 320 or
1154 this chapter fails to comply with all of the directives of the
1155 court within the time allotted by the court, the clerk of the
1156 traffic court shall mail to the person, at the address specified
1157 on the uniform traffic citation, a notice of such failure,
1158 notifying him or her that, if he or she does not comply with the
1159 directives of the court within 30 days after the date of the
1160 notice and pay a delinquency fee of up to \$25 to the clerk, from
1161 which the clerk shall remit \$10 to the Department of Revenue for
1162 deposit into the General Revenue Fund, his or her driver license
1163 will be suspended. The notice shall be mailed no later than 5
1164 days after such failure. The delinquency fee may be retained by
1165 the office of the clerk to defray the operating costs of the
1166 office.

1167 (2) In non-IV-D cases, if a person fails to pay child
1168 support under chapter 61 and the obligee so requests, the
1169 depository or the clerk of the court shall mail in accordance
1170 with s. 61.13016 the notice specified in that section, notifying
1171 him or her that if he or she does not comply with the



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1172 requirements of that section and pay a delinquency fee of \$25 to
1173 the depository or the clerk, his or her driver license and motor
1174 vehicle registration will be suspended. The delinquency fee may
1175 be retained by the depository or the office of the clerk to
1176 defray the operating costs of the office after the clerk remits
1177 \$15 to the Department of Revenue for deposit into the General
1178 Revenue Fund.

1179 Section 20. Effective upon this act becoming a law and
1180 retroactive to July 1, 2008, subsections (2) and (4) of section
1181 327.35, Florida Statutes, are amended to read:

1182 327.35 Boating under the influence; penalties; "designated
1183 drivers."—

1184 (2) (a) Except as provided in paragraph (b), subsection (3),
1185 or subsection (4), any person who is convicted of a violation of
1186 subsection (1) shall be punished:

1187 1. By a fine of:

1188 a. Not less than \$500 or more than \$1,000 for a first
1189 conviction.

1190 b. Not less than \$1,000 or more than \$2,000 for a second
1191 conviction; and

1192 2. By imprisonment for:

1193 a. Not more than 6 months for a first conviction.

1194 b. Not more than 9 months for a second conviction.

1195

1196 The portion of a fine imposed in excess of \$500 pursuant to sub-
1197 subparagraph 1.a. and the portion of a fine imposed in excess of
1198 \$1,000 pursuant to sub-subparagraph 1.b., shall be remitted by
1199 the clerk to the Department of Revenue for deposit into the
1200 General Revenue Fund.



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1201 (b)1. Any person who is convicted of a third violation of
1202 this section for an offense that occurs within 10 years after a
1203 prior conviction for a violation of this section commits a
1204 felony of the third degree, punishable as provided in s.
1205 775.082, s. 775.083, or s. 775.084.

1206 2. Any person who is convicted of a third violation of this
1207 section for an offense that occurs more than 10 years after the
1208 date of a prior conviction for a violation of this section shall
1209 be punished by a fine of not less than \$2,000 or more than
1210 \$5,000 and by imprisonment for not more than 12 months. The
1211 portion of a fine imposed in excess of \$2,500 pursuant to this
1212 subparagraph shall be remitted by the clerk to the Department of
1213 Revenue for deposit into the General Revenue Fund.

1214 3. Any person who is convicted of a fourth or subsequent
1215 violation of this section, regardless of when any prior
1216 conviction for a violation of this section occurred, commits a
1217 felony of the third degree, punishable as provided in s.
1218 775.082, s. 775.083, or s. 775.084.

1219
1220 However, the fine imposed for such fourth or subsequent
1221 violation may not be less than \$2,000. The portion of such fine
1222 imposed in excess of \$1,000 shall be remitted by the clerk to
1223 the Department of Revenue for deposit into the General Revenue
1224 Fund.

1225 (4) Any person who is convicted of a violation of
1226 subsection (1) and who has a blood-alcohol level or breath-
1227 alcohol level of 0.15 or higher, or any person who is convicted
1228 of a violation of subsection (1) and who at the time of the
1229 offense was accompanied in the vessel by a person under the age



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1230 of 18 years, shall be punished:

1231 (a) By a fine of:

1232 1. Not less than \$1,000 or more than \$2,000 for a first
1233 conviction.

1234 2. Not less than \$2,000 or more than \$4,000 for a second
1235 conviction.

1236 3. Not less than \$4,000 for a third or subsequent
1237 conviction.

1238 (b) By imprisonment for:

1239 1. Not more than 9 months for a first conviction.

1240 2. Not more than 12 months for a second conviction.

1241

1242 The portion of a fine imposed in excess of \$1,000 pursuant
1243 to paragraph (a)1. and the portion of a fine imposed in excess
1244 of \$2,000 pursuant to paragraph (a)2. or (a)3., shall be
1245 remitted by the clerk to the Department of Revenue for deposit
1246 into the General Revenue Fund. For the purposes of this
1247 subsection, only the instant offense is required to be a
1248 violation of subsection (1) by a person who has a blood-alcohol
1249 level or breath-alcohol level of 0.15 or higher.

1250 Section 21. Effective upon this act becoming a law and
1251 retroactive to July 1, 2008, subsection (4), paragraph (a) of
1252 subsection (9), and paragraph (a) of subsection (11) of section
1253 327.73, Florida Statutes, are amended to read:

1254 327.73 Noncriminal infractions.—

1255 (4) Any person charged with a noncriminal infraction under
1256 this section may:

1257 (a) Pay the civil penalty, either by mail or in person,
1258 within 30 days of the date of receiving the citation; or,



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1259 (b) If he or she has posted bond, forfeit bond by not
1260 appearing at the designated time and location.

1261
1262 If the person cited follows either of the above procedures,
1263 he or she shall be deemed to have admitted the noncriminal
1264 infraction and to have waived the right to a hearing on the
1265 issue of commission of the infraction. Such admission shall not
1266 be used as evidence in any other proceedings. If a person who is
1267 cited for a violation of s. 327.395 can show a boating safety
1268 identification card issued to that person and valid at the time
1269 of the citation, the clerk of the court may dismiss the case and
1270 may assess a dismissal fee of up to \$10, from which the clerk
1271 shall remit \$2.50 to the Department of Revenue for deposit into
1272 the General Revenue Fund. If a person who is cited for a
1273 violation of s. 328.72(13) can show proof of having a
1274 registration for that vessel which was valid at the time of the
1275 citation, the clerk may dismiss the case and may assess the
1276 dismissal fee, from which the clerk shall remit \$2.50 to the
1277 Department of Revenue for deposit into the General Revenue Fund.

1278 (9) (a) Any person who fails to comply with the court's
1279 requirements or who fails to pay the civil penalties specified
1280 in this section within the 30-day period provided for in s.
1281 327.72 must pay an additional court cost of up to \$20, which
1282 shall be used by the clerks of the courts to defray the costs of
1283 tracking unpaid uniform boating citations, from which the clerk
1284 shall remit \$2 to the Department of Revenue for deposit into the
1285 General Revenue Fund.

1286 (11) (a) Court costs that are to be in addition to the
1287 stated civil penalty shall be imposed by the court in an amount



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1288 not less than the following:

1289 1. For swimming or diving infractions, \$4, from which the
1290 clerk shall remit \$1 to the Department of Revenue for deposit
1291 into the General Revenue Fund.

1292 2. For nonmoving boating infractions, \$18, from which the
1293 clerk shall remit \$12 to the Department of Revenue for deposit
1294 into the General Revenue Fund.

1295 3. For boating infractions listed in s. 327.731(1), \$35,
1296 from which the clerk shall remit \$25 to the Department of
1297 Revenue for deposit into the General Revenue Fund.

1298
1299 Court costs imposed under this subsection may not exceed
1300 \$45. A criminal justice selection center or both local criminal
1301 justice access and assessment centers may be funded from these
1302 court costs.

1303 Section 22. Effective upon this act becoming a law and
1304 retroactive to July 1, 2008, paragraph (i) of subsection (1) of
1305 section 379.401, Florida Statutes, is amended to read:

1306 379.401 Penalties and violations; civil penalties for
1307 noncriminal infractions; criminal penalties; suspension and
1308 forfeiture of licenses and permits.—

1309 (1) LEVEL ONE VIOLATIONS.—

1310 (i) A person cited for violating the requirements of s.
1311 379.354 relating to personal possession of a license or permit
1312 may not be convicted if, before or at the time of a county court
1313 hearing, the person produces the required license or permit for
1314 verification by the hearing officer or the court clerk. The
1315 license or permit must have been valid at the time the person
1316 was cited. The clerk or hearing officer may assess a \$10 fee for



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1317 costs under this paragraph, from which the clerk shall remit \$5
1318 to the Department of Revenue for deposit into the General
1319 Revenue Fund.

1320 Section 23. Effective upon this act becoming a law and
1321 retroactive to July 1, 2008, paragraph (b) of subsection (1) of
1322 section 713.24, Florida Statutes, is amended to read:

1323 713.24 Transfer of liens to security.-

1324 (1) Any lien claimed under this part may be transferred, by
1325 any person having an interest in the real property upon which
1326 the lien is imposed or the contract under which the lien is
1327 claimed, from such real property to other security by either:

1328 (b) Filing in the clerk's office a bond executed as surety
1329 by a surety insurer licensed to do business in this state,

1330
1331 either to be in an amount equal to the amount demanded in
1332 such claim of lien, plus interest thereon at the legal rate for
1333 3 years, plus \$1,000 or 25 percent of the amount demanded in the
1334 claim of lien, whichever is greater, to apply on any attorney's
1335 fees and court costs that may be taxed in any proceeding to
1336 enforce said lien. Such deposit or bond shall be conditioned to
1337 pay any judgment or decree which may be rendered for the
1338 satisfaction of the lien for which such claim of lien was
1339 recorded. Upon making such deposit or filing such bond, the
1340 clerk shall make and record a certificate showing the transfer
1341 of the lien from the real property to the security and shall
1342 mail a copy thereof by registered or certified mail to the
1343 lienor named in the claim of lien so transferred, at the address
1344 stated therein. Upon filing the certificate of transfer, the
1345 real property shall thereupon be released from the lien claimed,



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1346 and such lien shall be transferred to said security. In the
1347 absence of allegations of privity between the lienor and the
1348 owner, and subject to any order of the court increasing the
1349 amount required for the lien transfer deposit or bond, no other
1350 judgment or decree to pay money may be entered by the court
1351 against the owner. The clerk shall be entitled to a service
1352 charge for making and serving the certificate, in the amount of
1353 up to \$20, from which the clerk shall remit \$5 to the Department
1354 of Revenue for deposit into the General Revenue Fund. If the
1355 transaction involves the transfer of multiple liens, an
1356 additional charge of up to \$10 for each additional lien shall be
1357 charged, from which the clerk shall remit \$2.50 to the
1358 Department of Revenue for deposit into the General Revenue Fund.
1359 For recording the certificate and approving the bond, the clerk
1360 shall receive her or his usual statutory service charges as
1361 prescribed in s. 28.24. Any number of liens may be transferred
1362 to one such security.

1363 Section 24. Effective upon this act becoming a law and
1364 retroactive to July 1, 2008, subsection (3) of section 721.83,
1365 Florida Statutes, is amended to read:

1366 721.83 Consolidation of judicial foreclosure actions.—

1367 (3) A consolidated timeshare foreclosure action shall be
1368 considered a single action, suit, or proceeding for the payment
1369 of filing fees and service charges pursuant to general law. In
1370 addition to the payment of such filing fees and service charges,
1371 an additional filing fee of up to \$10 from which the clerk shall
1372 remit \$5 to the Department of Revenue for deposit into the
1373 General Revenue Fund for each timeshare interest joined in that
1374 action shall be paid to the clerk of court.



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1375 Section 25. Effective upon this act becoming a law and
1376 retroactive to July 1, 2008, paragraph (a) of subsection (6) of
1377 section 744.365, Florida Statutes, is amended to read:

1378 744.365 Verified inventory.—

1379 (6) AUDIT FEE.—

1380 (a) Where the value of the ward's property exceeds \$25,000,
1381 a guardian shall pay from the ward's property to the clerk of
1382 the circuit court a fee of up to \$85 from which the clerk shall
1383 remit \$10 to the Department of Revenue for deposit into the
1384 General Revenue Fund, upon the filing of the verified inventory,
1385 for the auditing of the inventory. Upon petition by the
1386 guardian, the court may waive the auditing fee upon a showing of
1387 insufficient funds in the ward's estate. Any guardian unable to
1388 pay the auditing fee may petition the court for waiver of the
1389 fee. The court may waive the fee after it has reviewed the
1390 documentation filed by the guardian in support of the waiver.

1391 Section 26. Effective upon this act becoming a law and
1392 retroactive to July 1, 2008, sSubsection (4) of section
1393 744.3678, Florida Statutes, is amended to read:

1394 744.3678 Annual accounting.—

1395 (4) The guardian shall pay from the ward's estate to the
1396 clerk of the circuit court a fee based upon the following
1397 graduated fee schedule, upon the filing of the annual financial
1398 return, for the auditing of the return:

1399 (a) For estates with a value of \$25,000 or less the clerk
1400 of the court may charge a fee of up to \$20 from which the clerk
1401 shall remit \$5 to the Department of Revenue for deposit into the
1402 General Revenue Fund.

1403 (b) For estates with a value of more than \$25,000 up to and



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1404 including \$100,000 the clerk of the court may charge a fee of up
1405 to \$85 from which the clerk shall remit \$10 to the Department of
1406 Revenue for deposit into the General Revenue Fund.

1407 (c) For estates with a value of more than \$100,000 up to
1408 and including \$500,000 the clerk of the court may charge a fee
1409 of up to \$170 from which the clerk shall remit \$20 to the
1410 Department of Revenue for deposit into the General Revenue Fund.

1411 (d) For estates with a value in excess of \$500,000 the
1412 clerk of the court may charge a fee of up to \$250 from which the
1413 clerk shall remit \$25 to the Department of Revenue for deposit
1414 into the General Revenue Fund.

1415
1416 Upon petition by the guardian, the court may waive the
1417 auditing fee upon a showing of insufficient funds in the ward's
1418 estate. Any guardian unable to pay the auditing fee may petition
1419 the court for a waiver of the fee. The court may waive the fee
1420 after it has reviewed the documentation filed by the guardian in
1421 support of the waiver.

1422 Section 27. Effective upon this act becoming a law and
1423 retroactive to July 1, 2008, subsection (2) of section 766.104,
1424 Florida Statutes, is amended to read:

1425 766.104 Medical negligence cases; reasonable investigation
1426 required before filing.-

1427 (2) Upon petition to the clerk of the court where the suit
1428 will be filed and payment to the clerk of a filing fee, not to
1429 exceed \$42 from which the clerk shall remit \$4.50 to the
1430 Department of Revenue for deposit into the General Revenue Fund,
1431 an automatic 90-day extension of the statute of limitations
1432 shall be granted to allow the reasonable investigation required



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1433 by subsection (1). This period shall be in addition to other
1434 tolling periods. No court order is required for the extension to
1435 be effective. The provisions of this subsection shall not be
1436 deemed to revive a cause of action on which the statute of
1437 limitations has run.

1438 Section 28. Effective upon this act becoming a law and
1439 retroactive to July 1, 2008, subsection (1) of section 938.05,
1440 Florida Statutes, is amended to read:

1441 938.05 Additional court costs for felonies, misdemeanors,
1442 and criminal traffic offenses.—

1443 (1) Any person pleading nolo contendere to a misdemeanor or
1444 criminal traffic offense under s. 318.14(10) (a) or pleading
1445 guilty or nolo contendere to, or being found guilty of, any
1446 felony, misdemeanor, or criminal traffic offense under the laws
1447 of this state or the violation of any municipal or county
1448 ordinance which adopts by reference any misdemeanor under state
1449 law, shall pay as a cost in the case, in addition to any other
1450 cost required to be imposed by law, a sum in accordance with the
1451 following schedule:

1452 (a) Felonies \$225 from which the clerk shall remit \$25 to
1453 the Department of Revenue for deposit into the General Revenue
1454 Fund

1455 (b) Misdemeanors \$60 from which the clerk shall remit \$10
1456 to the Department of Revenue for deposit into the General
1457 Revenue Fund

1458 (c) Criminal traffic offenses \$60 from which the clerk
1459 shall remit \$10 to the Department of Revenue for deposit into
1460 the General Revenue Fund

1461 Section 29. The amendments made by this act to ss. 27.52,



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1462 28.24, 28.2401, 28.241, 34.041, 45.035, 55.505, 61.14, 316.193,
1463 318.14, 318.15, 318.18, 322.245, 327.35, 327.73, 379.401,
1464 713.24, 721.83, 744.365, 744.3678, 766.104, and 938.05, Florida
1465 Statutes, are remedial and clarifying in nature and apply
1466 retroactively to July 1, 2008.

1467 Section 30. The amendments to the jurisdiction of a court
1468 made by this act shall apply with respect to the date of filing
1469 the cause of action, regardless of when the cause of action
1470 accrued.

1471 Section 31. Before the 2022 Regular Session of the
1472 Legislature, the Legislature shall review and consider the
1473 results of the analysis submitted pursuant to Specific
1474 Appropriation 2754 of the 2019-2020 General Appropriations Act
1475 regarding the review of the Clerk of Court Processes for the
1476 purpose of considering the extension or reenactment of
1477 provisions in this act relating to clerk funding.

1478 Section 32. Except as otherwise provided, and except for
1479 this section, which shall take effect upon becoming a law, this
1480 act shall take effect July 1, 2019.

1481
1482 ===== T I T L E A M E N D M E N T =====

1483 And the title is amended as follows:

1484 Delete everything before the enacting clause
1485 and insert:

1486 A bill to be entitled
1487 An act relating to courts; amending s. 28.241, F.S.;
1488 requiring specified filing fees for appeals from
1489 certain county courts; amending s. 28.35, F.S.;
1490 modifying calculation of total combined budgets of the



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1491 clerks of the court; providing a definition; amending
1492 s. 28.36, F.S.; providing for modified revenue
1493 projection relating to proposed budget of clerks of
1494 the court; providing a definition; amending s. 28.37,
1495 F.S.; providing for deposit of certain funds into
1496 specified trust funds or General Revenue Fund;
1497 amending s. 27.52, F.S.; providing for deposit of
1498 certain fees into General Revenue Fund; amending s.
1499 28.24, F.S.; providing for deposit of certain fees
1500 into General Revenue Fund; amending s. 28.2401, F.S.;
1501 providing for deposit of certain fees into General
1502 Revenue Fund; amending s. 28.241, F.S.; providing for
1503 deposit of certain fees into General Revenue Fund;
1504 amending s. 34.01, F.S.; increasing the jurisdictional
1505 limit for actions at law by county courts on specified
1506 dates; requiring the State Courts Administrator to
1507 submit a report containing certain recommendations and
1508 reviews to the Governor and the Legislature by a
1509 specified date; amending s. 34.041, F.S.; providing
1510 for deposit of certain fees into the General Revenue
1511 Fund; providing county court civil filing fees for
1512 claims of specified values; providing for distribution
1513 of the fees; amending s. 44.108, F.S.; prohibiting the
1514 levy of certain fees for mediation and arbitration
1515 services in certain cases; amending s. 45.035, F.S.;
1516 providing for deposit of certain fees into General
1517 Revenue Fund; amending s. 55.505, F.S.; providing for
1518 deposit of certain fees into General Revenue Fund;
1519 amending s. 61.14, F.S.; providing for deposit of



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1520 certain fees into General Revenue Fund; amending s.
1521 316.193, F.S., providing for deposit of certain fees
1522 into General Revenue Fund; amending s. 318.14, F.S.,
1523 providing for deposit of certain fees into General
1524 Revenue Fund; amending s. 318.15, F.S.; providing for
1525 deposit of certain fees into General Revenue Fund;
1526 amending s. 318.18, F.S.; providing for deposit of
1527 certain fees into General Revenue Fund; amending s.
1528 322.245, F.S.; providing for deposit of certain fees
1529 into General Revenue Fund; amending s. 327.35, F.S.;
1530 providing for deposit of certain fees into General
1531 Revenue Fund; amending s. 327.73, F.S.; providing for
1532 deposit of certain fees into General Revenue Fund;
1533 amending s. 379.401, F.S.; providing for deposit of
1534 certain fees into General Revenue Fund; amending s.
1535 713.24, F.S.; providing for deposit of certain fees
1536 into General Revenue Fund; amending s. 721.83, F.S.;
1537 providing for deposit of certain fees into General
1538 Revenue Fund; amending s. 744.365, F.S.; providing for
1539 deposit of certain fees into General Revenue Fund;
1540 amending s. 744.3678, F.S.; providing for deposit of
1541 certain fees into General Revenue Fund; amending s.
1542 766.104, F.S.; providing for deposit of certain fees
1543 into General Revenue Fund; amending s. 938.05, F.S.;
1544 providing for deposit of certain fees into General
1545 Revenue Fund; providing for retroactivity; providing
1546 applicability; requiring a certain Legislative review;
1547 providing effective dates.