

By the Committee on Judiciary; and Senator Brandes

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1 A bill to be entitled
2 An act relating to courts; creating s. 25.025, F.S.;
3 authorizing certain Supreme Court justices to have an
4 appropriate facility in their district of residence
5 designated as their official headquarters; providing
6 that an official headquarters may serve only as a
7 justice's private chambers; providing that such
8 justices are eligible for a certain subsistence
9 allowance and reimbursement for certain transportation
10 expenses; requiring that such allowance and
11 reimbursement be made to the extent appropriated funds
12 are available, as determined by the Chief Justice;
13 requiring the Chief Justice to coordinate with certain
14 persons in designating official headquarters;
15 providing that a county is not required to provide
16 space for a justice in a county courthouse;
17 authorizing counties to enter into agreements with the
18 Supreme Court for the use of county courthouse space;
19 prohibiting the Supreme Court from using state funds
20 to lease space in specified facilities to allow a
21 justice to establish an official headquarters;
22 amending s. 26.012, F.S.; revising the appellate
23 jurisdiction of the circuit courts; amending s.
24 29.008, F.S.; providing applicability and
25 construction; amending s. 30.15, F.S.; requiring
26 sheriffs to coordinate with the board of county
27 commissioners and the chief judge of the circuit on a
28 comprehensive plan for the provision of security for
29 trial court facilities; requiring sheriffs to retain

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30 operational control over how they provide security for
31 such facilities; specifying that the chief judge
32 retains certain decisionmaking authority; specifying
33 that sheriffs and their deputies, employees, and
34 contractors are officers of the court when providing
35 security for trial court facilities; amending s.
36 34.01, F.S.; increasing the limit on the amount in
37 controversy in certain actions at law under which the
38 county court has original jurisdiction, beginning on a
39 specified date; specifying that certain actions
40 relating to damages or losses covered by insurance
41 policies are not within the jurisdiction of the county
42 court; providing for adjustments to limits at
43 specified intervals due to inflation or deflation;
44 requiring the State Courts Administrator to make
45 certain recommendations to the Governor and the
46 Legislature by a specified date; amending s. 28.241,
47 F.S.; adjusting filing fees for appeals of certain
48 county court cases; amending s. 34.041, F.S.;
49 adjusting county court civil filing fees based on
50 claim values; providing for distribution of the fees;
51 amending s. 44.108, F.S.; prohibiting a filing fee
52 from being levied on an appeal from the county court
53 to the circuit court for a claim for more than a
54 specified amount; amending s. 105.031, F.S.; requiring
55 the Department of State or the supervisor of elections
56 to refund the full amount of certain qualifying fees;
57 conforming a cross-reference; providing effective
58 dates.

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59
60 Be It Enacted by the Legislature of the State of Florida:

61
62 Section 1. Section 25.025, Florida Statutes, is created to
63 read:

64 25.025 Headquarters.—

65 (1) (a) A Supreme Court justice who permanently resides
66 outside Leon County shall, if he or she so requests, have a
67 district court of appeal courthouse, a county courthouse, or
68 other appropriate facility in his or her district of residence
69 designated as his or her official headquarters pursuant to s.
70 112.061. This official headquarters may serve only as the
71 justice's private chambers.

72 (b) A justice for whom an official headquarters is
73 designated in his or her district of residence under this
74 subsection is eligible for subsistence at a rate to be
75 established by the Chief Justice for each day or partial day
76 that the justice is at the Supreme Court Building for the
77 conduct of the business of the court. In addition to the
78 subsistence allowance, a justice is eligible for reimbursement
79 for transportation expenses as provided in s. 112.061(7) for
80 travel between the justice's official headquarters and the
81 Supreme Court Building for the conduct of the business of the
82 court.

83 (c) Payment of subsistence and reimbursement for
84 transportation expenses relating to travel between a justice's
85 official headquarters and the Supreme Court Building must be
86 made to the extent that appropriated funds are available, as
87 determined by the Chief Justice.

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

91 (3) (a) This section does not require a county to provide
92 space in a county courthouse for a justice. A county may enter
93 into an agreement with the Supreme Court governing the use of
94 space in a county courthouse.

95 (b) The Supreme Court may not use state funds to lease
96 space in a district court of appeal courthouse, county
97 courthouse, or other facility to allow a justice to establish an
98 official headquarters pursuant to subsection (1).

99 Section 2. Effective January 1, 2020, subsections (1), (2),
100 and (4) of section 26.012, Florida Statutes, are amended to
101 read:

102 26.012 Jurisdiction of circuit court.-

103 (1) (a) The appellate jurisdiction of the circuit courts
104 includes: ~~Circuit courts shall have jurisdiction of~~

105 1. Appeals from county court orders or judgments in actions
106 at law within the jurisdiction of the county court under s.
107 34.01(1)(c).

108 2. Appeals from county court orders or judgments in
109 misdemeanor cases.

110 3. Appeals from county court orders or judgments relating
111 to family law matters and other matters within the jurisdiction
112 of the county court under s. 34.01(2).

113 4. Appeals from final administrative orders of local
114 government code enforcement boards.

115 (b) The appellate jurisdiction of the circuit courts does
116 not include ~~courts except~~ appeals of county court orders or

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117 judgments that:

118 1. Declare ~~declaring~~ invalid a state statute or a provision
119 of the State Constitution. ~~and except orders or judgments of a~~
120 ~~county court which~~

121 2. Are certified by the county court to the district court
122 of appeal to be of great public importance and that ~~which~~ are
123 accepted by the district court of appeal for review. ~~Circuit~~
124 ~~courts shall have jurisdiction of appeals from final~~
125 ~~administrative orders of local government code enforcement~~
126 ~~boards.~~

127 (2) Circuit courts ~~They shall~~ have exclusive original
128 jurisdiction:

129 (a) In all actions at law not cognizable by the county
130 courts;

131 (b) Of proceedings relating to the settlement of the
132 estates of decedents and minors, the granting of letters
133 testamentary, guardianship, involuntary hospitalization, the
134 determination of incompetency, and other jurisdiction usually
135 pertaining to courts of probate;

136 (c) In all cases in equity including all cases relating to
137 juveniles except traffic offenses as provided in chapters 316
138 and 985;

139 (d) Of all felonies and of all misdemeanors arising out of
140 the same circumstances as a felony which is also charged;

141 (e) In all cases involving legality of any tax assessment
142 or toll or denial of refund, except as provided in s. 72.011;

143 (f) In actions of ejectment; and

144 (g) In all actions involving the title and boundaries of
145 real property.

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146 (4) The chief judge of a circuit may authorize a county
147 court judge to order emergency hospitalizations pursuant to part
148 I of chapter 394 in the absence from the county of the circuit
149 judge; and the county court judge has ~~shall have~~ the power to
150 issue all temporary orders and temporary injunctions necessary
151 or proper to the complete exercise of such jurisdiction.

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

154 29.008 County funding of court-related functions.—

155 (1) Counties are required by s. 14, Art. V of the State
156 Constitution to fund the cost of communications services,
157 existing radio systems, existing multiagency criminal justice
158 information systems, and the cost of construction or lease,
159 maintenance, utilities, and security of facilities for the
160 circuit and county courts, public defenders' offices, state
161 attorneys' offices, guardian ad litem offices, and the offices
162 of the clerks of the circuit and county courts performing court-
163 related functions. For purposes of this section, the term
164 "circuit and county courts" includes the offices and staffing of
165 the guardian ad litem programs, and the term "public defenders'
166 offices" includes the offices of criminal conflict and civil
167 regional counsel. The county designated under s. 35.05(1) as the
168 headquarters for each appellate district shall fund these costs
169 for the appellate division of the public defender's office in
170 that county. For purposes of implementing these requirements,
171 the term:

172 (a) "Facility" means reasonable and necessary buildings and
173 office space and appurtenant equipment and furnishings,
174 structures, real estate, easements, and related interests in

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175 real estate, including, but not limited to, those for the
176 purpose of housing legal materials for use by the general public
177 and personnel, equipment, or functions of the circuit or county
178 courts, public defenders' offices, state attorneys' offices, and
179 court-related functions of the office of the clerks of the
180 circuit and county courts and all storage. The term "facility"
181 includes all wiring necessary for court reporting services. The
182 term also includes access to parking for such facilities in
183 connection with such court-related functions that may be
184 available free or from a private provider or a local government
185 for a fee. The office space provided by a county may not be less
186 than the standards for space allotment adopted by the Department
187 of Management Services, except this requirement applies only to
188 facilities that are leased, or on which construction commences,
189 after June 30, 2003. County funding must include physical
190 modifications and improvements to all facilities as are required
191 for compliance with the Americans with Disabilities Act. Upon
192 mutual agreement of a county and the affected entity in this
193 paragraph, the office space provided by the county may vary from
194 the standards for space allotment adopted by the Department of
195 Management Services.

196 1. As of July 1, 2005, equipment and furnishings shall be
197 limited to that appropriate and customary for courtrooms,
198 hearing rooms, jury facilities, and other public areas in
199 courthouses and any other facility occupied by the courts, state
200 attorneys, public defenders, guardians ad litem, and criminal
201 conflict and civil regional counsel. Court reporting equipment
202 in these areas or facilities is not a responsibility of the
203 county.

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204 2. Equipment and furnishings under this paragraph in
205 existence and owned by counties on July 1, 2005, except for that
206 in the possession of the clerks, for areas other than
207 courtrooms, hearing rooms, jury facilities, and other public
208 areas in courthouses and any other facility occupied by the
209 courts, state attorneys, and public defenders, shall be
210 transferred to the state at no charge. This provision does not
211 apply to any communications services as defined in paragraph
212 (f).

213 (b) "Construction or lease" includes, but is not limited
214 to, all reasonable and necessary costs of the acquisition or
215 lease of facilities for all judicial officers, staff, jurors,
216 volunteers of a tenant agency, and the public for the circuit
217 and county courts, the public defenders' offices, state
218 attorneys' offices, and for performing the court-related
219 functions of the offices of the clerks of the circuit and county
220 courts. This includes expenses related to financing such
221 facilities and the existing and future cost and bonded
222 indebtedness associated with placing the facilities in use.

223 (c) "Maintenance" includes, but is not limited to, all
224 reasonable and necessary costs of custodial and groundskeeping
225 services and renovation and reconstruction as needed to
226 accommodate functions for the circuit and county courts, the
227 public defenders' offices, and state attorneys' offices and for
228 performing the court-related functions of the offices of the
229 clerks of the circuit and county court and for maintaining the
230 facilities in a condition appropriate and safe for the use
231 intended.

232 (d) "Utilities" means all electricity services for light,

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233 heat, and power; natural or manufactured gas services for light,
234 heat, and power; water and wastewater services and systems,
235 stormwater or runoff services and systems, sewer services and
236 systems, all costs or fees associated with these services and
237 systems, and any costs or fees associated with the mitigation of
238 environmental impacts directly related to the facility.

239 (e) "Security" includes but is not limited to, all
240 reasonable and necessary costs of services of law enforcement
241 officers or licensed security guards and all electronic,
242 cellular, or digital monitoring and screening devices necessary
243 to ensure the safety and security of all persons visiting or
244 working in a facility; to provide for security of the facility,
245 including protection of property owned by the county or the
246 state; and for security of prisoners brought to any facility.
247 This includes bailiffs while providing courtroom and other
248 security for each judge and other quasi-judicial officers.

249 (f) "Communications services" are defined as any reasonable
250 and necessary transmission, emission, and reception of signs,
251 signals, writings, images, and sounds of intelligence of any
252 nature by wire, radio, optical, audio equipment, or other
253 electromagnetic systems and includes all facilities and
254 equipment owned, leased, or used by judges, clerks, public
255 defenders, state attorneys, guardians ad litem, criminal
256 conflict and civil regional counsel, and all staff of the state
257 courts system, state attorneys' offices, public defenders'
258 offices, and clerks of the circuit and county courts performing
259 court-related functions. Such system or services shall include,
260 but not be limited to:

261 1. Telephone system infrastructure, including computer

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262 lines, telephone switching equipment, and maintenance, and
263 facsimile equipment, wireless communications, cellular
264 telephones, pagers, and video teleconferencing equipment and
265 line charges. Each county shall continue to provide access to a
266 local carrier for local and long distance service and shall pay
267 toll charges for local and long distance service.

268 2. All computer networks, systems and equipment, including
269 computer hardware and software, modems, printers, wiring,
270 network connections, maintenance, support staff or services
271 including any county-funded support staff located in the offices
272 of the circuit court, county courts, state attorneys, public
273 defenders, guardians ad litem, and criminal conflict and civil
274 regional counsel; training, supplies, and line charges necessary
275 for an integrated computer system to support the operations and
276 management of the state courts system, the offices of the public
277 defenders, the offices of the state attorneys, the guardian ad
278 litem offices, the offices of criminal conflict and civil
279 regional counsel, and the offices of the clerks of the circuit
280 and county courts; and the capability to connect those entities
281 and reporting data to the state as required for the transmission
282 of revenue, performance accountability, case management, data
283 collection, budgeting, and auditing purposes. The integrated
284 computer system shall be operational by July 1, 2006, and, at a
285 minimum, permit the exchange of financial, performance
286 accountability, case management, case disposition, and other
287 data across multiple state and county information systems
288 involving multiple users at both the state level and within each
289 judicial circuit and be able to electronically exchange judicial
290 case background data, sentencing scoresheets, and video evidence

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291 information stored in integrated case management systems over
292 secure networks. Once the integrated system becomes operational,
293 counties may reject requests to purchase communications services
294 included in this subparagraph not in compliance with standards,
295 protocols, or processes adopted by the board established
296 pursuant to former s. 29.0086.

297 3. Courier messenger and subpoena services.

298 4. Auxiliary aids and services for qualified individuals
299 with a disability which are necessary to ensure access to the
300 courts. Such auxiliary aids and services include, but are not
301 limited to, sign language interpretation services required under
302 the federal Americans with Disabilities Act other than services
303 required to satisfy due-process requirements and identified as a
304 state funding responsibility pursuant to ss. 29.004, 29.005,
305 29.006, and 29.007, real-time transcription services for
306 individuals who are hearing impaired, and assistive listening
307 devices and the equipment necessary to implement such
308 accommodations.

309 (g) "Existing radio systems" includes, but is not limited
310 to, law enforcement radio systems that are used by the circuit
311 and county courts, the offices of the public defenders, the
312 offices of the state attorneys, and for court-related functions
313 of the offices of the clerks of the circuit and county courts.
314 This includes radio systems that were operational or under
315 contract at the time Revision No. 7, 1998, to Art. V of the
316 State Constitution was adopted and any enhancements made
317 thereafter, the maintenance of those systems, and the personnel
318 and supplies necessary for operation.

319 (h) "Existing multiagency criminal justice information

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320 systems" includes, but is not limited to, those components of
321 the multiagency criminal justice information system as defined
322 in s. 943.045, supporting the offices of the circuit or county
323 courts, the public defenders' offices, the state attorneys'
324 offices, or those portions of the offices of the clerks of the
325 circuit and county courts performing court-related functions
326 that are used to carry out the court-related activities of those
327 entities. This includes upgrades and maintenance of the current
328 equipment, maintenance and upgrades of supporting technology
329 infrastructure and associated staff, and services and expenses
330 to assure continued information sharing and reporting of
331 information to the state. The counties shall also provide
332 additional information technology services, hardware, and
333 software as needed for new judges and staff of the state courts
334 system, state attorneys' offices, public defenders' offices,
335 guardian ad litem offices, and the offices of the clerks of the
336 circuit and county courts performing court-related functions.

337
338 This subsection applies only to matters relating to court
339 funding and may not be construed to enhance, limit, or define
340 the authority of any court.

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

343 30.15 Powers, duties, and obligations.—

344 (4) (a) In accordance with each county's obligation under s.
345 14, Art. V of the State Constitution and s. 29.008 to fund
346 security for trial court facilities, the sheriff of each county
347 shall coordinate with the board of county commissioners of that
348 county and the chief judge of the circuit in which that county

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349 is located on the development of a comprehensive plan for the
 350 provision of security for trial court facilities. Each sheriff
 351 shall retain authority over the operational control and
 352 provision of law enforcement services associated with the plan.
 353 The chief judge of the circuit shall retain decisionmaking
 354 authority to ensure the protection of due process rights,
 355 including, but not limited to, the scheduling and conduct of
 356 trial and other judicial proceedings, as part of his or her
 357 responsibility for the administrative supervision of trial
 358 courts under s. 43.26.

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

362 Section 5. Subsection (1) of section 34.01, Florida
 363 Statutes, is amended to read:

364 34.01 Jurisdiction of county court.—

365 (1) County courts shall have original jurisdiction:

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

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

369 (c) 1. Of all actions at law filed on or before December 31,
 370 2019, in which the matter in controversy does not exceed the sum
 371 of \$15,000, exclusive of interest, costs, and attorney
 372 attorney's fees, except those within the exclusive jurisdiction
 373 of the circuit courts.~~†~~ ~~and~~

374 2. Of all actions at law filed on or after January 1, 2020,
 375 in which the matter in controversy does not exceed the sum of
 376 \$30,000, exclusive of interest, costs, and attorney fees,
 377 except:

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378 a. Actions within the exclusive jurisdiction of the circuit
379 courts; and

380 b. Actions relating to damages or losses covered by an
381 insurance policy, including coverage disputes, in which the
382 matter in controversy exceeds the sum of \$25,000, exclusive of
383 interest, costs, and attorney fees.

384 3. Of all actions at law filed on or after January 1, 2022,
385 in which the matter in controversy does not exceed the sum of
386 \$50,000, exclusive of interest, costs, and attorney fees,
387 except:

388 a. Actions within the exclusive jurisdiction of the circuit
389 courts; and

390 b. Actions relating to damages or losses covered by an
391 insurance policy, including coverage disputes, in which the
392 matter in controversy exceeds the sum of \$25,000, exclusive of
393 interest, costs, and attorney fees.

394
395 The limits in subparagraph 3. must be adjusted every 10 years
396 after January 1, 2022, to reflect the rate of inflation or
397 deflation as indicated in the Consumer Price Index for All Urban
398 Consumers, U.S. City Average, All Items, or successor reports as
399 reported by the United States Department of Labor, Bureau of
400 Labor Statistics, or its successor. Such adjustments must be
401 rounded to the nearest \$5,000.

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

405
406 By March 1, 2021, the State Courts Administrator shall make

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407 recommendations regarding the adjustment of county court
408 jurisdiction to the Governor, the President of the Senate, and
409 the Speaker of the House of Representatives. The recommendation
410 must include an analysis of workflow, timely access to court by
411 litigants, and any resulting fiscal impact to the state as a
412 result of adjusted jurisdictional limits.

413 Section 6. Subsection (2) of section 28.241, Florida
414 Statutes, is amended to read:

415 28.241 Filing fees for trial and appellate proceedings.—

416 (2) (a) Upon the institution of any appellate proceeding
417 from any lower court to the circuit court of any such county,
418 including appeals filed by a county or municipality as provided
419 in s. 34.041(5), or from the circuit court to an appellate court
420 of the state, the clerk shall charge and collect from the party
421 or parties instituting such appellate proceedings:

422 1. A filing fee not to exceed \$280 for filing a notice of
423 appeal from the county court to the circuit court, excluding a
424 civil case where the matter in controversy was more than
425 \$15,000. and,

426 2. A filing fee not to exceed \$400 for filing a notice of
427 appeal from the county court to the circuit court for a civil
428 case where the matter in controversy was more than \$15,000. The
429 clerk shall remit \$250 of each filing fee collected under this
430 subparagraph to the Department of Revenue for deposit into the
431 General Revenue Fund, and the clerk shall remit \$50 of each
432 filing fee to the Department of Revenue for deposit into the
433 State Courts Revenue Trust Fund to fund court operations as
434 authorized in the General Appropriations Act. The clerk shall
435 retain an accounting of each such remittance.

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

439 (b) If the party is determined to be indigent, the clerk
440 shall defer payment of the fee required by this subsection.

441 Section 7. Subsection (1) of section 34.041, Florida
442 Statutes, is amended to read:

443 34.041 Filing fees.—

444 (1) (a) Filing fees are due at the time a party files a
445 pleading to initiate a proceeding or files a pleading for
446 relief. Reopen fees are due at the time a party files a pleading
447 to reopen a proceeding if at least 90 days have elapsed since
448 the filing of a final order or final judgment with the clerk. If
449 a fee is not paid upon the filing of the pleading as required
450 under this section, the clerk shall pursue collection of the fee
451 pursuant to s. 28.246. Upon the institution of any civil action,
452 suit, or proceeding in county court, the party shall pay the
453 following filing fee, not to exceed:

454 1. For all claims less than \$100.....\$50.

455 2. For all claims of \$100 or more but not more than
456 \$500.....\$75.

457 3. For all claims of more than \$500 but not more than
458 \$2,500.....\$170.

459 4. For all claims of more than \$2,500 but not more than
460 \$15,000.....\$295.

461 5. For all claims more than \$15,000.....\$395.

462 ~~6.5~~ In addition, for all proceedings of garnishment,
463 attachment, replevin, and distress.....\$85.

464 ~~7.6~~ Notwithstanding subparagraphs 3. and ~~6.5~~, for all

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465 claims of not more than \$1,000 filed simultaneously with an
466 action for replevin of property that is the subject of the
467 claim.....\$125.

468 8.7. For removal of tenant action.....\$180.

469
470 The filing fee in subparagraph 7.6. is the total fee due under
471 this paragraph for that type of filing, and no other filing fee
472 under this paragraph may be assessed against such a filing.

473 (b) The first \$15 of the filing fee collected under
474 subparagraph (a)4. and the first \$10 of the filing fee collected
475 under subparagraph (a)8.~~(a)7.~~ shall be deposited in the State
476 Courts Revenue Trust Fund. By the 10th day of each month, the
477 clerk shall submit that portion of the fees collected in the
478 previous month which is in excess of one-twelfth of the clerk's
479 total budget for the performance of court-related functions to
480 the Department of Revenue for deposit into the Clerks of the
481 Court Trust Fund. An additional filing fee of \$4 shall be paid
482 to the clerk. The clerk shall transfer \$3.50 to the Department
483 of Revenue for deposit into the Court Education Trust Fund and
484 shall transfer 50 cents to the Department of Revenue for deposit
485 into the Administrative Trust Fund within the Department of
486 Financial Services to fund clerk education provided by the
487 Florida Clerks of Court Operations Corporation. Postal charges
488 incurred by the clerk of the county court in making service by
489 mail on defendants or other parties shall be paid by the party
490 at whose instance service is made. Except as provided in this
491 section, filing fees and service charges for performing duties
492 of the clerk relating to the county court shall be as provided
493 in ss. 28.24 and 28.241. Except as otherwise provided in this

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494 section, all filing fees shall be retained as fee income of the
495 office of the clerk of the circuit court. Filing fees imposed by
496 this section may not be added to any penalty imposed by chapter
497 316 or chapter 318.

498 (c) A party in addition to a party described in paragraph
499 (a) who files a pleading in an original civil action in the
500 county court for affirmative relief by cross-claim,
501 counterclaim, counterpetition, or third-party complaint, or who
502 files a notice of cross-appeal or notice of joinder or motion to
503 intervene as an appellant, cross-appellant, or petitioner, shall
504 pay the clerk of court a fee of \$295 if the relief sought by the
505 party under this paragraph exceeds \$2,500. The clerk shall remit
506 the fee to the Department of Revenue for deposit into the
507 General Revenue Fund. This fee does not apply if the cross-
508 claim, counterclaim, counterpetition, or third-party complaint
509 requires transfer of the case from county to circuit court.
510 However, the party shall pay to the clerk the standard filing
511 fee for the court to which the case is to be transferred.

512 (d) The clerk of court shall collect a service charge of
513 \$10 for issuing a summons or an electronic certified copy of a
514 summons. The clerk shall assess the fee against the party
515 seeking to have the summons issued.

516 (e) Of the first \$200 in filing fees payable under
517 subparagraph (a)5., \$195 must be remitted to the Department of
518 Revenue for deposit into the State Courts Revenue Trust Fund, \$4
519 must be remitted to the Department of Revenue for deposit into
520 the Administrative Trust Fund within the Department of Financial
521 Services and used to fund the contract with the Florida Clerks
522 of Court Operations Corporation created in s. 28.35, and \$1 must

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523 be remitted to the Department of Revenue for deposit into the
524 Administrative Trust Fund within the Department of Financial
525 Services to fund audits of individual clerks' court-related
526 expenditures conducted by the Department of Financial Services.
527 By the 10th day of each month, the clerk shall submit that
528 portion of the filing fees collected pursuant to this subsection
529 in the previous month which is in excess of one-twelfth of the
530 clerk's total budget to the Department of Revenue for deposit
531 into the Clerks of the Court Trust Fund.

532 Section 8. Subsection (1) of section 44.108, Florida
533 Statutes, is amended to read:

534 44.108 Funding of mediation and arbitration.—

535 (1) Mediation and arbitration should be accessible to all
536 parties regardless of financial status. A filing fee of \$1 is
537 levied on all proceedings in the circuit or county courts to
538 fund mediation and arbitration services which are the
539 responsibility of the Supreme Court pursuant to ~~the provisions~~
540 ~~of~~ s. 44.106. However, the filing fee may not be levied on an
541 appeal from the county court to the circuit court for a claim of
542 more than \$15,000. The clerk of the court shall forward the
543 moneys collected to the Department of Revenue for deposit in the
544 State Courts Revenue Trust Fund.

545 Section 9. Effective upon this act becoming a law,
546 subsections (3) and (5) of section 105.031, Florida Statutes,
547 are amended to read:

548 105.031 Qualification; filing fee; candidate's oath; items
549 required to be filed.—

550 (3) QUALIFYING FEE.—

551 (a) Each candidate qualifying for election to a judicial

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552 office or the office of school board member, except write-in
553 judicial or school board candidates, shall, during the time for
554 qualifying, pay to the officer with whom he or she qualifies a
555 qualifying fee, which shall consist of a filing fee and an
556 election assessment, or qualify by the petition process. The
557 amount of the filing fee is 3 percent of the annual salary of
558 the office sought. The amount of the election assessment is 1
559 percent of the annual salary of the office sought. Except as
560 otherwise required by paragraph (b), the Department of State
561 shall transfer all filing fees to the Department of Legal
562 Affairs for deposit in the Elections Commission Trust Fund and-
563 the supervisor of elections shall forward all filing fees to the
564 Elections Commission Trust Fund. The election assessment shall
565 be deposited into the Elections Commission Trust Fund. The
566 annual salary of the office for purposes of computing the
567 qualifying fee shall be computed by multiplying 12 times the
568 monthly salary authorized for such office as of July 1
569 immediately preceding the first day of qualifying. This
570 paragraph subsection does not apply to candidates qualifying for
571 retention to judicial office.

572 (b) Not later than 20 days after the close of qualifying,
573 the Department of State or the supervisor of elections, as
574 appropriate, shall refund the full amount of the qualifying fee
575 to a candidate for the office of circuit court judge or county
576 court judge who is unopposed at the time the qualifying period
577 closes.

578 (5) ITEMS REQUIRED TO BE FILED.—

579 (a) In order for a candidate for judicial office or the
580 office of school board member to be qualified, the following

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581 items must be received by the filing officer by the end of the
582 qualifying period:

583 1. Except for candidates for retention to judicial office,
584 a properly executed check drawn upon the candidate's campaign
585 account in an amount not less than the fee required by paragraph
586 (3) (a) ~~subsection (3)~~ or, in lieu thereof, the copy of the
587 notice of obtaining ballot position pursuant to s. 105.035. If a
588 candidate's check is returned by the bank for any reason, the
589 filing officer shall immediately notify the candidate and the
590 candidate shall, the end of qualifying notwithstanding, have 48
591 hours from the time such notification is received, excluding
592 Saturdays, Sundays, and legal holidays, to pay the fee with a
593 cashier's check purchased from funds of the campaign account.
594 Failure to pay the fee as provided in this subparagraph shall
595 disqualify the candidate.

596 2. The candidate's oath required by subsection (4), which
597 must contain the name of the candidate as it is to appear on the
598 ballot; the office sought, including the district or group
599 number if applicable; and the signature of the candidate, duly
600 acknowledged.

601 3. The loyalty oath required by s. 876.05, signed by the
602 candidate and duly acknowledged.

603 4. The completed form for the appointment of campaign
604 treasurer and designation of campaign depository, as required by
605 s. 106.021. In addition, each candidate for judicial office,
606 including an incumbent judge, shall file a statement with the
607 qualifying officer, within 10 days after filing the appointment
608 of campaign treasurer and designation of campaign depository,
609 stating that the candidate has read and understands the

