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LEGISLATIVE ACTION

Senate

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House

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Floor: 2/RE/2R

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05/02/2019 11:22 AM

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Senator Brandes moved the following:

1           **Senate Substitute for Amendment (197684) (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Effective January 1, 2020, subsection (1) of  
7 section 26.012, Florida Statutes, is amended to read:

8           26.012 Jurisdiction of circuit court.—

9           (1) Circuit courts shall have jurisdiction of appeals from  
10 county courts except:

11           (a) Appeals of county court orders or judgments where the



252840

12 amount in controversy is greater than \$15,000. This paragraph is  
13 repealed on January 1, 2023.

14 (b) Appeals of county court orders or judgments declaring  
15 invalid a state statute or a provision of the State  
16 Constitution, ~~and except~~

17 (c) Orders or judgments of a county court which are  
18 certified by the county court to the district court of appeal to  
19 be of great public importance and which are accepted by the  
20 district court of appeal for review.

21  
22 Circuit courts shall have jurisdiction of appeals from final  
23 administrative orders of local government code enforcement  
24 boards.

25 Section 2. Paragraph (f) of subsection (2) of section  
26 28.35, Florida Statutes, is amended to read:

27 28.35 Florida Clerks of Court Operations Corporation.—

28 (2) The duties of the corporation shall include the  
29 following:

30 (f) Approving the proposed budgets submitted by clerks of  
31 the court pursuant to s. 28.36. The corporation must ensure that  
32 the total combined budgets of the clerks of the court do not  
33 exceed the total estimated revenues from fees, service charges,  
34 costs, and fines for court-related functions available for  
35 court-related expenditures as determined by the most recent  
36 Revenue Estimating Conference, plus the total of unspent  
37 budgeted funds for court-related functions carried forward by  
38 the clerks of the court from the previous county fiscal year and  
39 plus the balance of funds remaining in the Clerk of the Court  
40 Trust Fund after the transfer of funds to the General Revenue



252840

41 Fund required pursuant to s. 28.37(3)(b). The corporation may  
42 amend any individual clerk of the court budget to ensure  
43 compliance with this paragraph and must consider performance  
44 measures, workload performance standards, workload measures, and  
45 expense data before modifying the budget. As part of this  
46 process, the corporation shall:

47       1. Calculate the minimum amount of revenue necessary for  
48 each clerk of the court to efficiently perform the list of  
49 court-related functions specified in paragraph (3)(a). The  
50 corporation shall apply the workload measures appropriate for  
51 determining the individual level of review required to fund the  
52 clerk's budget.

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

57       3. Conduct an annual base budget review and an annual  
58 budget exercise examining the total budget of each clerk of the  
59 court. The review shall examine revenues from all sources,  
60 expenses of court-related functions, and expenses of noncourt-  
61 related functions as necessary to determine that court-related  
62 revenues are not being used for noncourt-related purposes. The  
63 review and exercise shall identify potential targeted budget  
64 reductions in the percentage amount provided in Schedule VIII-B  
65 of the state's previous year's legislative budget instructions,  
66 as referenced in s. 216.023(3), or an equivalent schedule or  
67 instruction as may be adopted by the Legislature.

68       4. Identify those proposed budgets containing funding for  
69 items not included on the standard list of court-related



70 functions specified in paragraph (3) (a).

71 5. Identify those clerks projected to have court-related  
72 revenues insufficient to fund their anticipated court-related  
73 expenditures.

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

85 7. Identify pay and benefit increases in any proposed clerk  
86 budget, including, but not limited to, cost of living increases,  
87 merit increases, and bonuses.

88 8. Identify increases in anticipated expenditures in any  
89 clerk budget that exceeds the current year budget by more than 3  
90 percent.

91 9. Identify the budget of any clerk which exceeds the  
92 average budget of similarly situated clerks by more than 10  
93 percent.

94  
95 For the purposes of this paragraph, the term "unspent budgeted  
96 funds for court-related functions" means undisbursed funds  
97 included in the clerks of the courts budgets for court-related  
98 functions established pursuant to this section and s. 28.36.



252840

99 Section 3. Paragraph (b) of subsection (2) of section  
100 28.36, Florida Statutes, is amended to read:

101 28.36 Budget procedure.—There is established a budget  
102 procedure for the court-related functions of the clerks of the  
103 court.

104 (2) Each proposed budget shall further conform to the  
105 following requirements:

106 (b) The proposed budget must be balanced such that the  
107 total of the estimated revenues available equals or exceeds the  
108 total of the anticipated expenditures. Such revenues include  
109 revenue projected to be received from fees, service charges,  
110 costs, and fines for court-related functions during the fiscal  
111 period covered by the budget, plus the total of unspent budgeted  
112 funds for court-related functions carried forward by the clerk  
113 of the court from the previous county fiscal year and plus the  
114 portion of the balance of funds remaining in the Clerk of the  
115 Court Trust Fund after the transfer of funds to the General  
116 Revenue Fund required pursuant to s. 28.37(3)(b) which has been  
117 allocated to each respective clerk of the court by the Clerk of  
118 Courts Corporation. For the purposes of this paragraph, the term  
119 “unspent budgeted funds for court-related functions” means  
120 undisbursed funds included in the clerk of the courts’ budget  
121 for court related functions established pursuant to s. 28.35 and  
122 this section. The anticipated expenditures must be itemized as  
123 required by the corporation.

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

126 28.37 Fines, fees, service charges, and costs remitted to  
127 the state.—



252840

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

139           (b)1. No later than February 1, 2020, the Department of  
140 Revenue shall transfer from the Clerks of the Court Trust Fund  
141 to the General Revenue Fund the sum of the cumulative excess of  
142 all fines, fees, service charges, and costs submitted by the  
143 clerks of court pursuant to subsection (2) and the cumulative  
144 excess of all fines, fees, service charges, and costs remitted  
145 by the clerks of court pursuant to paragraph (a) in excess of  
146 \$10 million.

147           2. No later than February 1, 2021, the Department of  
148 Revenue shall transfer from the Clerks of the Court Trust Fund  
149 to the General Revenue Fund not less than 50 percent of the sum  
150 of the cumulative excess of all fines, fees, service charges,  
151 and costs submitted by the clerks of court pursuant to  
152 subsection (2) and the cumulative excess of all fines, fees,  
153 service charges, and costs remitted by the clerks of court  
154 pursuant to paragraph (a); provided however, the balance  
155 remaining in the Clerks of Courts Trust Fund after such transfer  
156 may not be more than \$20 million.



252840

157       3. No later than February 1, 2022, the Department of  
158 Revenue shall transfer from the Clerks of the Court Trust Fund  
159 to the General Revenue Fund not less than 50 percent of the sum  
160 of the cumulative excess of all fines, fees, service charges,  
161 and costs submitted by the clerks of court pursuant to  
162 subsection (2) and the cumulative excess of all fines, fees,  
163 service charges, and costs remitted by the clerks of court  
164 pursuant to paragraph (a); provided however, the balance  
165 remaining in the Clerks of Courts Trust Fund after such transfer  
166 may not be more than \$20 million.

167       4. No later than February 1, 2023, and each February 1  
168 thereafter, the Department of Revenue shall transfer from the  
169 Clerks of the Court Trust Fund to the General Revenue Fund the  
170 cumulative excess of all fines, fees, service charges, and costs  
171 submitted by the clerks of court pursuant to subsection (2) and  
172 the cumulative excess of all fines, fees, service charges, and  
173 costs remitted by the clerks of court pursuant to paragraph (a).  
174 ~~The Department of Revenue shall transfer from the Clerks of~~  
175 ~~Court Trust Fund to the General Revenue Fund the cumulative~~  
176 ~~excess of all fines, fees, service charges, and costs submitted~~  
177 ~~by the clerks of court pursuant to subsection (2). However, if~~  
178 ~~the official estimate for funds accruing to the clerks of court~~  
179 ~~made by the Revenue Estimating Conference for the current fiscal~~  
180 ~~year or the next fiscal year is less than the cumulative amount~~  
181 ~~of authorized budgets for the clerks of court for the current~~  
182 ~~fiscal year, the Department of Revenue shall retain in the~~  
183 ~~Clerks of the Court Trust Fund the estimated amount needed to~~  
184 ~~fully fund the clerks of court for the current and next fiscal~~  
185 ~~year based upon the current budget established under s. 28.35.~~



252840

186 Section 5. Effective upon this act becoming a law and  
187 retroactive to July 1, 2008, paragraphs (b) and (d) of  
188 subsection (1) of section 27.52, Florida Statutes, are amended  
189 to read:

190 27.52 Determination of indigent status.—

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

197 (b) An applicant shall pay a \$50 application fee to the  
198 clerk for each application for court-appointed counsel filed.  
199 The applicant shall pay the fee within 7 days after submitting  
200 the application. If the applicant does not pay the fee prior to  
201 the disposition of the case, the clerk shall notify the court,  
202 and the court shall:

203 1. Assess the application fee as part of the sentence or as  
204 a condition of probation; or

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

206 (d) All application fees collected by the clerk under this  
207 section shall be transferred monthly by the clerk to the  
208 Department of Revenue for deposit in the Indigent Criminal  
209 Defense Trust Fund administered by the Justice Administrative  
210 Commission, to be used to as appropriated by the Legislature.  
211 The clerk may retain 2 percent of application fees collected  
212 monthly for administrative costs from which the clerk shall  
213 remit \$0.20 from each application fee to the Department of  
214 Revenue for deposit into the General Revenue Fund prior to





252840

215 remitting the remainder to the Department of Revenue for deposit  
216 in the Indigent Criminal Defense Trust Fund.

217 Section 6. Effective upon this act becoming a law and  
218 retroactive to July 1, 2008, subsections (1), (2), (3), (4),  
219 (6), and (8), paragraph (b) of subsection (10), subsections  
220 (13), (14), (16), (17), (18), (19), (20), and (25), and  
221 paragraph (a) of subsection (26) of section 28.24, Florida  
222 Statutes, are amended to read:

223 28.24 Service charges.—The clerk of the circuit court shall  
224 charge for services rendered manually or electronically by the  
225 clerk's office in recording documents and instruments and in  
226 performing other specified duties. These charges may not exceed  
227 those specified in this section, except as provided in s.  
228 28.345.

229  
230 Charges

231  
232 (1) For examining, comparing, correcting, verifying, and  
233 certifying transcripts of record in appellate proceedings,  
234 prepared by attorney for appellant or someone else other than  
235 clerk, per page 5.00, from which the clerk shall remit 0.50 per  
236 page to the Department of Revenue for deposit into the General  
237 Revenue Fund.

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

242 (3) For certifying copies of any instrument in the public  
243 records 2.00, from which the clerk shall remit 0.50 to the



252840

244 Department of Revenue for deposit into the General Revenue Fund.

245 (4) For verifying any instrument presented for  
246 certification prepared by someone other than clerk, per page  
247 3.50, from which the clerk shall remit 0.50 per page to the  
248 Department of Revenue for deposit into the General Revenue Fund.

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

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

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

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

259 (8) For writing any paper other than herein specifically  
260 mentioned, same as for copying, including signing and sealing  
261 7.00, from which the clerk shall remit 1.00 to the Department of  
262 Revenue for deposit into the General Revenue Fund.

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

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

267 (13) Oath, administering, attesting, and sealing, not  
268 otherwise provided for herein 3.50, from which the clerk shall  
269 remit 0.50 to the Department of Revenue for deposit into the  
270 General Revenue Fund.

271 (14) For validating certificates, any authorized bonds,  
272 each 3.50, from which the clerk shall remit 0.50 each to the



252840

273 Department of Revenue for deposit into the General Revenue Fund.

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

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

280 (18) (a) For issuing and filing a subpoena for a witness,  
281 not otherwise provided for herein (includes writing, preparing,  
282 signing, and sealing) 7.00, from which the clerk shall remit  
283 1.00 to the Department of Revenue for deposit into the General  
284 Revenue Fund.

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

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

291 (20) For searching of records, for each year's search 2.00,  
292 from which the clerk shall remit 0.50 for each year's search to  
293 the Department of Revenue for deposit into the General Revenue  
294 Fund.

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

298 (26) (a) For receiving and disbursing all restitution  
299 payments, per payment 3.50, from which the clerk shall remit  
300 0.50 per payment to the Department of Revenue for deposit into  
301 the General Revenue Fund.



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

305 28.2401 Service charges and filing fees in probate  
306 matters.-

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

310 (a) Fee for the opening of any estate of one document or  
311 more, including, but not limited to, petitions and orders to  
312 approve settlement of minor's claims; to open a safe-deposit  
313 box; to enter rooms and places; for the determination of heirs,  
314 if not formal administration; and for a foreign guardian to  
315 manage property of a nonresident; but not to include issuance of  
316 letters or order of summary administration.....\$230

317 (b) Charge for caveat.....\$40

318 (c) Fee for petition and order to admit foreign wills,  
319 authenticated copies, exemplified copies, or transcript to  
320 record.....\$230

321 (d) Fee for disposition of personal property without  
322 administration.....\$230

323 (e) Fee for summary administration—estates valued at \$1,000  
324 or more.....\$340

325 (f) Fee for summary administration—estates valued at less  
326 than \$1,000.....\$230

327 (g) Fee for formal administration, guardianship, ancillary,  
328 curatorship, or conservatorship proceedings.....\$395

329 (h) Fee for guardianship proceedings of person only.....\$230

330 (i) Fee for veterans' guardianship pursuant to chapter



331 744.....\$230  
332 (j) Charge for exemplified certificates.....\$7  
333 (k) Fee for petition for determination of incompetency..\$230  
334

335 The clerk shall remit \$115 of each filing fee collected under  
336 paragraphs (a), (c)-(i), and (k) to the Department of Revenue  
337 for deposit into the State Courts Revenue Trust Fund and shall  
338 remit \$15 of each filing fee collected under paragraphs (a),  
339 (c), (d), (f), (h), (i) and (k), \$1 of each filing fee collected  
340 under paragraph (j), \$5 of each filing fee collected under  
341 paragraph (b), \$25 of each filing fee collected under paragraph  
342 (e), and \$30 of each filing fee collected under paragraph (g) to  
343 the Department of Revenue for deposit into the General Revenue  
344 Fund.

345 Section 8. Effective upon this act becoming a law and  
346 retroactive to July 1, 2008, subsections (1) and (2) of section  
347 28.241, Florida Statutes, are amended to read:

348 28.241 Filing fees for trial and appellate proceedings.—

349 (1) Filing fees are due at the time a party files a  
350 pleading to initiate a proceeding or files a pleading for  
351 relief. Reopen fees are due at the time a party files a pleading  
352 to reopen a proceeding if at least 90 days have elapsed since  
353 the filing of a final order or final judgment with the clerk. If  
354 a fee is not paid upon the filing of the pleading as required  
355 under this section, the clerk shall pursue collection of the fee  
356 pursuant to s. 28.246.

357 (a)1.a. Except as provided in sub-subparagraph b. and  
358 subparagraph 2., the party instituting any civil action, suit,  
359 or proceeding in the circuit court shall pay to the clerk of



252840

360 that court a filing fee of up to \$395 in all cases in which  
361 there are not more than five defendants and an additional filing  
362 fee of up to \$2.50, from which the clerk shall remit \$0.50 to  
363 the Department of Revenue for deposit into the General Revenue  
364 Fund, for each defendant in excess of five. Of the first \$200 in  
365 filing fees, \$195 must be remitted to the Department of Revenue  
366 for deposit into the State Courts Revenue Trust Fund, \$4 must be  
367 remitted to the Department of Revenue for deposit into the  
368 Administrative Trust Fund within the Department of Financial  
369 Services and used to fund the contract with the Florida Clerks  
370 of Court Operations Corporation created in s. 28.35, and \$1 must  
371 be remitted to the Department of Revenue for deposit into the  
372 Administrative Trust Fund within the Department of Financial  
373 Services to fund audits of individual clerks' court-related  
374 expenditures conducted by the Department of Financial Services.  
375 By the 10th of each month, the clerk shall submit that portion  
376 of the filing fees collected in the previous month which is in  
377 excess of one-twelfth of the clerk's total budget to the  
378 Department of Revenue for deposit into the Clerks of the Court  
379 Trust Fund.

380 b. The party instituting any civil action, suit, or  
381 proceeding in the circuit court under chapter 39, chapter 61,  
382 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
383 753 shall pay to the clerk of that court a filing fee of up to  
384 \$295 in all cases in which there are not more than five  
385 defendants and an additional filing fee of up to \$2.50 for each  
386 defendant in excess of five. Of the first \$100 in filing fees,  
387 \$95 must be remitted to the Department of Revenue for deposit  
388 into the State Courts Revenue Trust Fund, \$4 must be remitted to



252840

389 the Department of Revenue for deposit into the Administrative  
390 Trust Fund within the Department of Financial Services and used  
391 to fund the contract with the Florida Clerks of Court Operations  
392 Corporation created in s. 28.35, and \$1 must be remitted to the  
393 Department of Revenue for deposit into the Administrative Trust  
394 Fund within the Department of Financial Services to fund audits  
395 of individual clerks' court-related expenditures conducted by  
396 the Department of Financial Services.

397 c. An additional filing fee of \$4 shall be paid to the  
398 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
399 for deposit into the Court Education Trust Fund and shall remit  
400 50 cents to the Department of Revenue for deposit into the  
401 Administrative Trust Fund within the Department of Financial  
402 Services to fund clerk education provided by the Florida Clerks  
403 of Court Operations Corporation. An additional filing fee of up  
404 to \$18 shall be paid by the party seeking each severance that is  
405 granted, from which the clerk shall remit \$3 to the Department  
406 of Revenue for deposit into the General Revenue Fund. The clerk  
407 may impose an additional filing fee of up to \$85, from which the  
408 clerk shall remit \$10 to the Department of Revenue for deposit  
409 into the General Revenue Fund, for all proceedings of  
410 garnishment, attachment, replevin, and distress. Postal charges  
411 incurred by the clerk of the circuit court in making service by  
412 certified or registered mail on defendants or other parties  
413 shall be paid by the party at whose instance service is made.  
414 Additional fees, charges, or costs may not be added to the  
415 filing fees imposed under this section, except as authorized in  
416 this section or by general law.

417 2.a. Notwithstanding the fees prescribed in subparagraph



252840

418 1., a party instituting a civil action in circuit court relating  
419 to real property or mortgage foreclosure shall pay a graduated  
420 filing fee based on the value of the claim.

421 b. A party shall estimate in writing the amount in  
422 controversy of the claim upon filing the action. For purposes of  
423 this subparagraph, the value of a mortgage foreclosure action is  
424 based upon the principal due on the note secured by the  
425 mortgage, plus interest owed on the note and any moneys advanced  
426 by the lender for property taxes, insurance, and other advances  
427 secured by the mortgage, at the time of filing the foreclosure.  
428 The value shall also include the value of any tax certificates  
429 related to the property. In stating the value of a mortgage  
430 foreclosure claim, a party shall declare in writing the total  
431 value of the claim, as well as the individual elements of the  
432 value as prescribed in this sub-subparagraph.

433 c. In its order providing for the final disposition of the  
434 matter, the court shall identify the actual value of the claim.  
435 The clerk shall adjust the filing fee if there is a difference  
436 between the estimated amount in controversy and the actual value  
437 of the claim and collect any additional filing fee owed or  
438 provide a refund of excess filing fee paid.

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

440 (I) Three hundred and ninety-five dollars in all cases in  
441 which the value of the claim is \$50,000 or less and in which  
442 there are not more than five defendants. The party shall pay an  
443 additional filing fee of up to \$2.50 for each defendant in  
444 excess of five. Of the first \$200 in filing fees, \$195 must be  
445 remitted by the clerk to the Department of Revenue for deposit  
446 into the General Revenue Fund, \$4 must be remitted to the





252840

447 Department of Revenue for deposit into the Administrative Trust  
448 Fund within the Department of Financial Services and used to  
449 fund the contract with the Florida Clerks of Court Operations  
450 Corporation created in s. 28.35, and \$1 must be remitted to the  
451 Department of Revenue for deposit into the Administrative Trust  
452 Fund within the Department of Financial Services to fund audits  
453 of individual clerks' court-related expenditures conducted by  
454 the Department of Financial Services;

455 (II) Nine hundred dollars in all cases in which the value  
456 of the claim is more than \$50,000 but less than \$250,000 and in  
457 which there are not more than five defendants. The party shall  
458 pay an additional filing fee of up to \$2.50 for each defendant  
459 in excess of five. Of the first \$705 in filing fees, \$700 must  
460 be remitted by the clerk to the Department of Revenue for  
461 deposit into the General Revenue Fund, except that the first  
462 \$1.5 million in such filing fees remitted to the Department of  
463 Revenue and deposited into the General Revenue Fund in fiscal  
464 year 2018-2019 shall be distributed to the Miami-Dade County  
465 Clerk of Court; \$4 must be remitted to the Department of Revenue  
466 for deposit into the Administrative Trust Fund within the  
467 Department of Financial Services and used to fund the contract  
468 with the Florida Clerks of Court Operations Corporation created  
469 in s. 28.35; and \$1 must be remitted to the Department of  
470 Revenue for deposit into the Administrative Trust Fund within  
471 the Department of Financial Services to fund audits of  
472 individual clerks' court-related expenditures conducted by the  
473 Department of Financial Services; or

474 (III) One thousand nine hundred dollars in all cases in  
475 which the value of the claim is \$250,000 or more and in which



252840

476 there are not more than five defendants. The party shall pay an  
477 additional filing fee of up to \$2.50 for each defendant in  
478 excess of five. Of the first \$1,705 in filing fees, \$930 must be  
479 remitted by the clerk to the Department of Revenue for deposit  
480 into the General Revenue Fund, \$770 must be remitted to the  
481 Department of Revenue for deposit into the State Courts Revenue  
482 Trust Fund, \$4 must be remitted to the Department of Revenue for  
483 deposit into the Administrative Trust Fund within the Department  
484 of Financial Services to fund the contract with the Florida  
485 Clerks of Court Operations Corporation created in s. 28.35, and  
486 \$1 must be remitted to the Department of Revenue for deposit  
487 into the Administrative Trust Fund within the Department of  
488 Financial Services to fund audits of individual clerks' court-  
489 related expenditures conducted by the Department of Financial  
490 Services.

491 e. An additional filing fee of \$4 shall be paid to the  
492 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
493 for deposit into the Court Education Trust Fund and shall remit  
494 50 cents to the Department of Revenue for deposit into the  
495 Administrative Trust Fund within the Department of Financial  
496 Services to fund clerk education provided by the Florida Clerks  
497 of Court Operations Corporation. An additional filing fee of up  
498 to \$18 shall be paid by the party seeking each severance that is  
499 granted. The clerk may impose an additional filing fee of up to  
500 \$85 for all proceedings of garnishment, attachment, replevin,  
501 and distress. Postal charges incurred by the clerk of the  
502 circuit court in making service by certified or registered mail  
503 on defendants or other parties shall be paid by the party at  
504 whose instance service is made. Additional fees, charges, or



505 costs may not be added to the filing fees imposed under this  
506 section, except as authorized in this section or by general law.

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

- 519 1. A writ of garnishment;
- 520 2. A writ of replevin;
- 521 3. A distress writ;
- 522 4. A writ of attachment;
- 523 5. A motion for rehearing filed within 10 days;
- 524 6. A motion for attorney's fees filed within 30 days after  
525 entry of a judgment or final order;
- 526 7. A motion for dismissal filed after a mediation agreement  
527 has been filed;
- 528 8. A disposition of personal property without  
529 administration;
- 530 9. Any probate case prior to the discharge of a personal  
531 representative;
- 532 10. Any guardianship pleading prior to discharge;
- 533 11. Any mental health pleading;



252840

- 534           12. Motions to withdraw by attorneys;
- 535           13. Motions exclusively for the enforcement of child  
536 support orders;
- 537           14. A petition for credit of child support;
- 538           15. A Notice of Intent to Relocate and any order issuing as  
539 a result of an uncontested relocation;
- 540           16. Stipulations and motions to enforce stipulations;
- 541           17. Responsive pleadings;
- 542           18. Cases in which there is no initial filing fee; or
- 543           19. Motions for contempt.
- 544           (c)1. A party in addition to a party described in sub-  
545 subparagraph (a)1.a. who files a pleading in an original civil  
546 action in circuit court for affirmative relief by cross-claim,  
547 counterclaim, counterpetition, or third-party complaint shall  
548 pay the clerk of court a fee of \$395. A party in addition to a  
549 party described in sub-subparagraph (a)1.b. who files a pleading  
550 in an original civil action in circuit court for affirmative  
551 relief by cross-claim, counterclaim, counterpetition, or third-  
552 party complaint shall pay the clerk of court a fee of \$295. The  
553 clerk shall deposit the fee into the fine and forfeiture fund  
554 established pursuant to s. 142.01.
- 555           2. A party in addition to a party described in subparagraph  
556 (a)2. who files a pleading in an original civil action in  
557 circuit court for affirmative relief by cross-claim,  
558 counterclaim, counterpetition, or third-party complaint shall  
559 pay the clerk of court a graduated fee of:
- 560           a. Three hundred and ninety-five dollars in all cases in  
561 which the value of the pleading is \$50,000 or less;
- 562           b. Nine hundred dollars in all cases in which the value of



252840

563 the pleading is more than \$50,000 but less than \$250,000; or  
564 c. One thousand nine hundred dollars in all cases in which  
565 the value of the pleading is \$250,000 or more.

566  
567 The clerk shall deposit the fees collected under this  
568 subparagraph into the fine and forfeiture fund established  
569 pursuant to s. 142.01.

570 (d) The clerk of court shall collect a service charge of  
571 \$10 for issuing an original, a certified copy, or an electronic  
572 certified copy of a summons, which the clerk shall remit to the  
573 Department of Revenue for deposit into the General Revenue Fund.  
574 The clerk shall assess the fee against the party seeking to have  
575 the summons issued.

576 (2) Upon the institution of any appellate proceeding from  
577 any lower court to the circuit court of any such county,  
578 including appeals filed by a county or municipality as provided  
579 in s. 34.041(5), or from the county or circuit court to an  
580 appellate court of the state, the clerk shall charge and collect  
581 from the party or parties instituting such appellate proceedings  
582 a filing fee not to exceed \$280, from which the clerk shall  
583 remit \$20 to the Department of Revenue for deposit into the  
584 General Revenue Fund, for filing a notice of appeal from the  
585 county court to the circuit court and, in addition to the filing  
586 fee required under s. 25.241 or s. 35.22, \$100 for filing a  
587 notice of appeal from the county or circuit court to the  
588 district court of appeal or to the Supreme Court. If the party  
589 is determined to be indigent, the clerk shall defer payment of  
590 the fee otherwise required by this subsection.

591 Section 9. Effective January 1, 2020, subsection (1) of



252840

592 section 34.01, Florida Statutes, is amended to read:

593 34.01 Jurisdiction of county court.—

594 (1) County courts shall have original jurisdiction:

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

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

598 (c) Of all actions at law, except those within the  
599 exclusive jurisdiction of the circuit courts, in which the  
600 matter in controversy does not exceed ~~the sum of \$15,000,~~  
601 exclusive of interest, costs, and attorney ~~attorney's~~ fees;  
602 ~~except those within the exclusive jurisdiction of the circuit~~  
603 ~~courts; and~~

604 1. If filed on or before December 31, 2019, the sum of  
605 \$15,000.

606 2. If filed on or after January 1, 2020, the sum of  
607 \$30,000.

608 3. If filed on or after January 1, 2023, the sum of  
609 \$50,000.

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

613

614 By February 1, 2021, the Office of the State Courts  
615 Administrator shall submit a report to the Governor, the  
616 President of the Senate, and the Speaker of the House of  
617 Representatives. The report must make recommendations regarding  
618 the adjustment of county court jurisdiction, including, but not  
619 limited to, consideration of the claim value of filings in  
620 county court and circuit court, case events, timeliness in



252840

621 processing cases, and any fiscal impact to the state as a result  
622 of adjusted jurisdictional limits. The clerks of the circuit  
623 court and county court shall provide claim value data and  
624 necessary case event data to the office to be used in  
625 development of the report. The report must also include a review  
626 of fees to ensure that the court system is adequately funded and  
627 a review of the appellate jurisdiction of the district courts  
628 and the circuit courts, including the use of appellate panels by  
629 circuit courts.

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

634 34.041 Filing fees.—

635 (1) (a) Filing fees are due at the time a party files a  
636 pleading to initiate a proceeding or files a pleading for  
637 relief. Reopen fees are due at the time a party files a pleading  
638 to reopen a proceeding if at least 90 days have elapsed since  
639 the filing of a final order or final judgment with the clerk. If  
640 a fee is not paid upon the filing of the pleading as required  
641 under this section, the clerk shall pursue collection of the fee  
642 pursuant to s. 28.246. Upon the institution of any civil action,  
643 suit, or proceeding in county court, the party shall pay the  
644 following filing fee, not to exceed:

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

646 2. For all claims of \$100 or more but not more than  
647 \$500.....\$75.

648 3. For all claims of more than \$500 but not more than  
649 \$2,500.....\$170, from which the clerk shall remit \$20 to the



252840

650 Department of Revenue for deposit into the General Revenue Fund.  
651       4. For all claims of more than \$2,500 but not more than  
652 \$15,000.....\$295.  
653       5. For all claims more than \$15,000.....\$395.  
654       ~~6.5.~~ In addition, for all proceedings of garnishment,  
655 attachment, replevin, and distress.....\$85, from which the clerk  
656 shall remit \$10 to the Department of Revenue for deposit into  
657 the General Revenue Fund.  
658       ~~7.6.~~ Notwithstanding subparagraphs 3. and ~~6. 5.~~, for all  
659 claims of not more than \$1,000 filed simultaneously with an  
660 action for replevin of property that is the subject of the  
661 claim.....\$125.  
662       ~~8.7.~~ For removal of tenant action.....\$180.  
663  
664 The filing fee in subparagraph ~~7. 6.~~ is the total fee due under  
665 this paragraph for that type of filing, and no other filing fee  
666 under this paragraph may be assessed against such a filing.  
667       (b) The first \$15 of the filing fee collected under  
668 subparagraph (a)4. and the first \$10 of the filing fee collected  
669 under subparagraph (a)8. ~~subparagraph (a)7.~~ shall be deposited  
670 in the State Courts Revenue Trust Fund. By the 10th day of each  
671 month, the clerk shall submit that portion of the fees collected  
672 in the previous month which is in excess of one-twelfth of the  
673 clerk's total budget for the performance of court-related  
674 functions to the Department of Revenue for deposit into the  
675 Clerks of the Court Trust Fund. An additional filing fee of \$4  
676 shall be paid to the clerk. The clerk shall transfer \$3.50 to  
677 the Department of Revenue for deposit into the Court Education  
678 Trust Fund and shall transfer 50 cents to the Department of





252840

679 Revenue for deposit into the Administrative Trust Fund within  
680 the Department of Financial Services to fund clerk education  
681 provided by the Florida Clerks of Court Operations Corporation.  
682 Postal charges incurred by the clerk of the county court in  
683 making service by mail on defendants or other parties shall be  
684 paid by the party at whose instance service is made. Except as  
685 provided in this section, filing fees and service charges for  
686 performing duties of the clerk relating to the county court  
687 shall be as provided in ss. 28.24 and 28.241. Except as  
688 otherwise provided in this section, all filing fees shall be  
689 retained as fee income of the office of the clerk of the circuit  
690 court. Filing fees imposed by this section may not be added to  
691 any penalty imposed by chapter 316 or chapter 318.

692 (c) A party in addition to a party described in paragraph  
693 (a) who files a pleading in an original civil action in the  
694 county court for affirmative relief by cross-claim,  
695 counterclaim, counterpetition, or third-party complaint, or who  
696 files a notice of cross-appeal or notice of joinder or motion to  
697 intervene as an appellant, cross-appellant, or petitioner, shall  
698 pay the clerk of court a fee of \$295 if the relief sought by the  
699 party under this paragraph exceeds \$2,500 but is not more than  
700 \$15,000 and \$395 if the relief sought by the party under this  
701 paragraph exceeds \$15,000. The clerk shall remit the fee if the  
702 relief sought by the party under this paragraph exceeds \$2,500  
703 but is not more than \$15,000 to the Department of Revenue for  
704 deposit into the General Revenue Fund. This fee does not apply  
705 if the cross-claim, counterclaim, counterpetition, or third-  
706 party complaint requires transfer of the case from county to  
707 circuit court. However, the party shall pay to the clerk the



252840

708 standard filing fee for the court to which the case is to be  
709 transferred.

710 (d) The clerk of court shall collect a service charge of  
711 \$10 for issuing a summons or an electronic certified copy of a  
712 summons, which the clerk shall remit to the Department of  
713 Revenue for deposit into the General Revenue Fund. The clerk  
714 shall assess the fee against the party seeking to have the  
715 summons issued.

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

732 Section 11. Effective January 1, 2020, subsection (2) of  
733 section 44.108, Florida Statutes, is amended to read:

734 44.108 Funding of mediation and arbitration.—

735 (2) When court-ordered mediation services are provided by a  
736 circuit court's mediation program, the following fees, unless



252840

737 otherwise established in the General Appropriations Act, shall  
738 be collected by the clerk of court:

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

742 (b) Sixty dollars per person per scheduled session in  
743 family mediation when the parties' combined income is less than  
744 \$50,000; or

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

748  
749 No mediation fees shall be assessed under this subsection in  
750 residential eviction cases, against a party found to be  
751 indigent, or for any small claims action. Fees collected by the  
752 clerk of court pursuant to this section shall be remitted to the  
753 Department of Revenue for deposit into the State Courts Revenue  
754 Trust Fund to fund court-ordered mediation. The clerk of court  
755 may deduct \$1 per fee assessment for processing this fee. The  
756 clerk of the court shall submit to the chief judge of the  
757 circuit and to the Office of the State Courts Administrator, no  
758 later than 30 days after the end of each quarter of the fiscal  
759 year, a report specifying the amount of funds collected and  
760 remitted to the State Courts Revenue Trust Fund under this  
761 section and any other section during the previous quarter of the  
762 fiscal year. In addition to identifying the total aggregate  
763 collections and remissions from all statutory sources, the  
764 report must identify collections and remissions by each  
765 statutory source.



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766 Section 12. Effective upon this act becoming a law and  
767 retroactive to July 1, 2008, subsection (1) and paragraph (c) of  
768 subsection (2) of section 45.035, Florida Statutes, are amended  
769 to read:

770 45.035 Clerk's fees.—In addition to other fees or service  
771 charges authorized by law, the clerk shall receive service  
772 charges related to the judicial sales procedure set forth in ss.  
773 45.031-45.034 and this section:

774 (1) The clerk shall receive a service charge of \$70, from  
775 which the clerk shall remit \$10 to the Department of Revenue for  
776 deposit into the General Revenue Fund, for services in making,  
777 recording, and certifying the sale and title, which service  
778 charge shall be assessed as costs and shall be advanced by the  
779 plaintiff before the sale.

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

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

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

790 55.505 Notice of recording; prerequisite to enforcement.—

791 (3) No execution or other process for enforcement of a  
792 foreign judgment recorded hereunder shall issue until 30 days  
793 after the mailing of notice by the clerk and payment of a  
794 service charge of up to \$42 to the clerk, from which the clerk



795 shall remit \$4.50 to the Department of Revenue for deposit into  
796 the General Revenue Fund. When an action authorized in s.  
797 55.509(1) is filed, it acts as an automatic stay of the effect  
798 of this section.

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

803 61.14 Enforcement and modification of support, maintenance,  
804 or alimony agreements or orders.—

805 (6)

806 (b)1. When an obligor is 15 days delinquent in making a  
807 payment or installment of support and the amount of the  
808 delinquency is greater than the periodic payment amount ordered  
809 by the court, the local depository shall serve notice on the  
810 obligor informing him or her of:

811 a. The delinquency and its amount.

812 b. An impending judgment by operation of law against him or  
813 her in the amount of the delinquency and all other amounts which  
814 thereafter become due and are unpaid, together with costs and a  
815 service charge of up to \$25, from which the clerk shall remit  
816 \$17.50 to the Department of Revenue for deposit into the General  
817 Revenue Fund, for failure to pay the amount of the delinquency.

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

820 d. The local depository's authority to release information  
821 regarding the delinquency to one or more credit reporting  
822 agencies.

823 2. The local depository shall serve the notice by mailing



252840

824 it by first class mail to the obligor at his or her last address  
825 of record with the local depository. If the obligor has no  
826 address of record with the local depository, service shall be by  
827 publication as provided in chapter 49.

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

830 (d) The court shall hear the obligor's motion to contest  
831 the impending judgment within 15 days after the date of filing  
832 of the motion. Upon the court's denial of the obligor's motion,  
833 the amount of the delinquency and all other amounts that become  
834 due, together with costs and a service charge of up to \$25, from  
835 which the clerk shall remit \$17.50 to the Department of Revenue  
836 for deposit into the General Revenue Fund, become a final  
837 judgment by operation of law against the obligor. The depository  
838 shall charge interest at the rate established in s. 55.03 on all  
839 judgments for support. Payments on judgments shall be applied  
840 first to the current child support due, then to any delinquent  
841 principal, and then to interest on the support judgment.

842 (e) If the obligor fails to file a motion to contest the  
843 impending judgment within the time limit prescribed in paragraph  
844 (c) and fails to pay the amount of the delinquency and all other  
845 amounts which thereafter become due, together with costs and a  
846 service charge of up to \$25, from which the clerk shall remit  
847 \$17.50 to the Department of Revenue for deposit into the General  
848 Revenue Fund, such amounts become a final judgment by operation  
849 of law against the obligor at the expiration of the time for  
850 filing a motion to contest the impending judgment.

851 (f)1. Upon request of any person, the local depository  
852 shall issue, upon payment of a service charge of up to \$25, from



252840

853 which the clerk shall remit \$17.50 to the Department of Revenue  
854 for deposit into the General Revenue Fund, a payoff statement of  
855 the total amount due under the judgment at the time of the  
856 request. The statement may be relied upon by the person for up  
857 to 30 days from the time it is issued unless proof of  
858 satisfaction of the judgment is provided.

859         2. When the depository records show that the obligor's  
860 account is current, the depository shall record a satisfaction  
861 of the judgment upon request of any interested person and upon  
862 receipt of the appropriate recording fee. Any person shall be  
863 entitled to rely upon the recording of the satisfaction.

864         3. The local depository, at the direction of the  
865 department, or the obligee in a non-IV-D case, may partially  
866 release the judgment as to specific real property, and the  
867 depository shall record a partial release upon receipt of the  
868 appropriate recording fee.

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

873         Section 15. Effective upon this act becoming a law and  
874 retroactive to July 1, 2008, subsections (2) and (4) of section  
875 316.193, Florida Statutes, are amended to read:

876         316.193 Driving under the influence; penalties.-

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

880                 1. By a fine of:

881                     a. Not less than \$500 or more than \$1,000 for a first



252840

882 conviction.

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

885       2. By imprisonment for:

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

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

888       3. For a second conviction, by mandatory placement for a  
889 period of at least 1 year, at the convicted person's sole  
890 expense, of an ignition interlock device approved by the  
891 department in accordance with s. 316.1938 upon all vehicles that  
892 are individually or jointly leased or owned and routinely  
893 operated by the convicted person, when the convicted person  
894 qualifies for a permanent or restricted license. The  
895 installation of such device may not occur before July 1, 2003.

896

897 The portion of a fine imposed in excess of \$500 pursuant to sub-  
898 subparagraph 1.a. and the portion of a fine imposed in excess of  
899 \$1,000 pursuant to sub-subparagraph 1.b., shall be remitted by  
900 the clerk to the Department of Revenue for deposit into the  
901 General Revenue Fund.

902       (b)1. Any person who is convicted of a third violation of  
903 this section for an offense that occurs within 10 years after a  
904 prior conviction for a violation of this section commits a  
905 felony of the third degree, punishable as provided in s.  
906 775.082, s. 775.083, or s. 775.084. In addition, the court shall  
907 order the mandatory placement for a period of not less than 2  
908 years, at the convicted person's sole expense, of an ignition  
909 interlock device approved by the department in accordance with  
910 s. 316.1938 upon all vehicles that are individually or jointly





252840

911 leased or owned and routinely operated by the convicted person,  
912 when the convicted person qualifies for a permanent or  
913 restricted license. The installation of such device may not  
914 occur before July 1, 2003.

915         2. Any person who is convicted of a third violation of this  
916 section for an offense that occurs more than 10 years after the  
917 date of a prior conviction for a violation of this section shall  
918 be punished by a fine of not less than \$2,000 or more than  
919 \$5,000 and by imprisonment for not more than 12 months. The  
920 portion of a fine imposed in excess of \$2,500 pursuant to this  
921 subparagraph shall be remitted by the clerk to the Department of  
922 Revenue for deposit into the General Revenue Fund. In addition,  
923 the court shall order the mandatory placement for a period of at  
924 least 2 years, at the convicted person's sole expense, of an  
925 ignition interlock device approved by the department in  
926 accordance with s. 316.1938 upon all vehicles that are  
927 individually or jointly leased or owned and routinely operated  
928 by the convicted person, when the convicted person qualifies for  
929 a permanent or restricted license. The installation of such  
930 device may not occur before July 1, 2003.

931         3. Any person who is convicted of a fourth or subsequent  
932 violation of this section, regardless of when any prior  
933 conviction for a violation of this section occurred, commits a  
934 felony of the third degree, punishable as provided in s.  
935 775.082, s. 775.083, or s. 775.084. However, the fine imposed  
936 for such fourth or subsequent violation may be not less than  
937 \$2,000. The portion of a fine imposed in excess of \$1,000  
938 pursuant to this subparagraph shall be remitted by the clerk to  
939 the Department of Revenue for deposit into the General Revenue



252840

940 Fund.

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

949 (4) Any person who is convicted of a violation of  
950 subsection (1) and who has a blood-alcohol level or breath-  
951 alcohol level of 0.15 or higher, or any person who is convicted  
952 of a violation of subsection (1) and who at the time of the  
953 offense was accompanied in the vehicle by a person under the age  
954 of 18 years, shall be punished:

955 (a) By a fine of:

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

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

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

962 (b) By imprisonment for:

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

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

965

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



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

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

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

318.14 Noncriminal traffic infractions; exception; procedures.—

(10)

(b) Any person cited for an offense listed in this subsection shall present proof of compliance before the scheduled court appearance date. For the purposes of this subsection, proof of compliance shall consist of a valid, renewed, or reinstated driver license or registration certificate and proper proof of maintenance of security as required by s. 316.646. Notwithstanding waiver of fine, any person establishing proof of compliance shall be assessed court



252840

998 costs of \$25, except that a person charged with violation of s.  
999 316.646(1)-(3) may be assessed court costs of \$8. One dollar of  
1000 such costs shall be remitted to the Department of Revenue for  
1001 deposit into the Child Welfare Training Trust Fund of the  
1002 Department of Children and Families. One dollar of such costs  
1003 shall be distributed to the Department of Juvenile Justice for  
1004 deposit into the Juvenile Justice Training Trust Fund. Fourteen  
1005 dollars of such costs shall be distributed to the municipality,  
1006 \$1 shall be remitted to the Department of Revenue for deposit  
1007 into the General Revenue Fund and \$ ~~8~~ 9 shall be deposited by  
1008 the clerk of the court into the fine and forfeiture fund  
1009 established pursuant to s. 142.01, if the offense was committed  
1010 within the municipality. If the offense was committed in an  
1011 unincorporated area of a county or if the citation was for a  
1012 violation of s. 316.646(1)-(3), the entire amount shall be  
1013 deposited by the clerk of the court into the fine and forfeiture  
1014 fund established pursuant to s. 142.01, except for the moneys to  
1015 be deposited into the Child Welfare Training Trust Fund and the  
1016 Juvenile Justice Training Trust Fund and \$3 which the clerk  
1017 shall remit to the Department of Revenue for deposit into the  
1018 General Revenue Fund. This subsection does not authorize the  
1019 operation of a vehicle without a valid driver license, without a  
1020 valid vehicle tag and registration, or without the maintenance  
1021 of required security.

1022 Section 17. Effective upon this act becoming a law and  
1023 retroactive to July 1, 2008, paragraph (b) of subsection (1) of  
1024 section 318.15, Florida Statutes, is amended to read:

1025 318.15 Failure to comply with civil penalty or to appear;  
1026 penalty.-



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1027 (1)  
1028 (b) However, a person who elects to attend driver  
1029 improvement school and has paid the civil penalty as provided in  
1030 s. 318.14(9) but who subsequently fails to attend the driver  
1031 improvement school within the time specified by the court is  
1032 deemed to have admitted the infraction and shall be adjudicated  
1033 guilty. If the person received a 9-percent reduction pursuant to  
1034 s. 318.14(9), the person must pay the clerk of the court that  
1035 amount and a processing fee of up to \$18, from which the clerk  
1036 shall remit \$3 to the Department of Revenue for deposit into the  
1037 General Revenue Fund, after which additional penalties, court  
1038 costs, or surcharges may not be imposed for the violation. In  
1039 all other such cases, the person must pay the clerk a processing  
1040 fee of up to \$18, from which the clerk shall remit \$3 to the  
1041 Department of Revenue for deposit into the General Revenue Fund,  
1042 after which additional penalties, court costs, or surcharges may  
1043 not be imposed for the violation. The clerk of the court shall  
1044 notify the department of the person's failure to attend driver  
1045 improvement school and points shall be assessed pursuant to s.  
1046 322.27.

1047 Section 18. Effective upon this act becoming a law and  
1048 retroactive to July 1, 2008, paragraphs (b) and (c) of  
1049 subsection (2), paragraph (a) of subsection (11), and subsection  
1050 (18) of section 318.18, Florida Statutes, are amended to read:

1051 318.18 Amount of penalties.—The penalties required for a  
1052 noncriminal disposition pursuant to s. 318.14 or a criminal  
1053 offense listed in s. 318.17 are as follows:

1054 (2) Thirty dollars for all nonmoving traffic violations  
1055 and:



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1056 (b) For all violations of ss. 320.0605, 320.07(1), 322.065,  
1057 and 322.15(1). Any person who is cited for a violation of s.  
1058 320.07(1) shall be charged a delinquent fee pursuant to s.  
1059 320.07(4).

1060 1. If a person who is cited for a violation of s. 320.0605  
1061 or s. 320.07 can show proof of having a valid registration at  
1062 the time of arrest, the clerk of the court may dismiss the case  
1063 and may assess a dismissal fee of up to \$10, from which the  
1064 clerk shall remit \$2.50 to the Department of Revenue for deposit  
1065 into the General Revenue Fund. A person who finds it impossible  
1066 or impractical to obtain a valid registration certificate must  
1067 submit an affidavit detailing the reasons for the impossibility  
1068 or impracticality. The reasons may include, but are not limited  
1069 to, the fact that the vehicle was sold, stolen, or destroyed;  
1070 that the state in which the vehicle is registered does not issue  
1071 a certificate of registration; or that the vehicle is owned by  
1072 another person.

1073 2. If a person who is cited for a violation of s. 322.03,  
1074 s. 322.065, or s. 322.15 can show a driver license issued to him  
1075 or her and valid at the time of arrest, the clerk of the court  
1076 may dismiss the case and may assess a dismissal fee of up to  
1077 \$10, from which the clerk shall remit \$2.50 to the Department of  
1078 Revenue for deposit into the General Revenue Fund.

1079 3. If a person who is cited for a violation of s. 316.646  
1080 can show proof of security as required by s. 627.733, issued to  
1081 the person and valid at the time of arrest, the clerk of the  
1082 court may dismiss the case and may assess a dismissal fee of up  
1083 to \$10, from which the clerk shall remit \$2.50 to the Department  
1084 of Revenue for deposit into the General Revenue Fund. A person



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1085 who finds it impossible or impractical to obtain proof of  
1086 security must submit an affidavit detailing the reasons for the  
1087 impracticality. The reasons may include, but are not limited to,  
1088 the fact that the vehicle has since been sold, stolen, or  
1089 destroyed; that the owner or registrant of the vehicle is not  
1090 required by s. 627.733 to maintain personal injury protection  
1091 insurance; or that the vehicle is owned by another person.

1092 (c) For all violations of ss. 316.2935 and 316.610.  
1093 However, for a violation of s. 316.2935 or s. 316.610, if the  
1094 person committing the violation corrects the defect and obtains  
1095 proof of such timely repair by an affidavit of compliance  
1096 executed by the law enforcement agency within 30 days from the  
1097 date upon which the traffic citation was issued, and pays \$4 to  
1098 the law enforcement agency, thereby completing the affidavit of  
1099 compliance, then upon presentation of said affidavit by the  
1100 defendant to the clerk within the 30-day time period set forth  
1101 under s. 318.14(4), the fine must be reduced to \$10, which the  
1102 clerk of the court shall retain and from which the clerk shall  
1103 remit \$2.50 to the Department of Revenue for deposit into the  
1104 General Revenue Fund.

1105 (11) (a) In addition to the stated fine, court costs must be  
1106 paid in the following amounts and shall be deposited by the  
1107 clerk into the fine and forfeiture fund established pursuant to  
1108 s. 142.01 except as provided in this paragraph:

1109 For pedestrian infractions \$4, from which the clerk shall  
1110 remit \$1 to the Department of Revenue for deposit into the  
1111 General Revenue Fund.

1112 For nonmoving traffic infractions \$18, from which the clerk  
1113 shall remit \$2 to the Department of Revenue for deposit into the



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1114 General Revenue Fund.

1115 For moving traffic infractions \$35, from which the clerk  
1116 shall remit \$5 to the Department of Revenue for deposit into the  
1117 General Revenue Fund.

1118 (18) In addition to any penalties imposed, an  
1119 administrative fee of \$12.50 must be paid for all noncriminal  
1120 moving and nonmoving violations under chapters 316, 320, and  
1121 322. The clerk shall remit the administrative fee to the  
1122 Department of Revenue for deposit into the General Revenue Fund.  
1123 ~~Revenue from the administrative fee shall be deposited by the~~  
1124 ~~clerk of court into the fine and forfeiture fund established~~  
1125 ~~pursuant to s. 142.01.~~

1126 Section 19. Effective upon this act becoming a law and  
1127 retroactive to July 1, 2008, subsections (1) and (2) of section  
1128 322.245, Florida Statutes, are amended to read:

1129 322.245 Suspension of license upon failure of person  
1130 charged with specified offense under chapter 316, chapter 320,  
1131 or this chapter to comply with directives ordered by traffic  
1132 court or upon failure to pay child support in non-IV-D cases as  
1133 provided in chapter 61 or failure to pay any financial  
1134 obligation in any other criminal case.—

1135 (1) If a person charged with a violation of any of the  
1136 criminal offenses enumerated in s. 318.17 or with the commission  
1137 of any offense constituting a misdemeanor under chapter 320 or  
1138 this chapter fails to comply with all of the directives of the  
1139 court within the time allotted by the court, the clerk of the  
1140 traffic court shall mail to the person, at the address specified  
1141 on the uniform traffic citation, a notice of such failure,  
1142 notifying him or her that, if he or she does not comply with the





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1143 directives of the court within 30 days after the date of the  
1144 notice and pay a delinquency fee of up to \$25 to the clerk, from  
1145 which the clerk shall remit \$10 to the Department of Revenue for  
1146 deposit into the General Revenue Fund, his or her driver license  
1147 will be suspended. The notice shall be mailed no later than 5  
1148 days after such failure. The delinquency fee may be retained by  
1149 the office of the clerk to defray the operating costs of the  
1150 office.

1151 (2) In non-IV-D cases, if a person fails to pay child  
1152 support under chapter 61 and the obligee so requests, the  
1153 depository or the clerk of the court shall mail in accordance  
1154 with s. 61.13016 the notice specified in that section, notifying  
1155 him or her that if he or she does not comply with the  
1156 requirements of that section and pay a delinquency fee of \$25 to  
1157 the depository or the clerk, his or her driver license and motor  
1158 vehicle registration will be suspended. The delinquency fee may  
1159 be retained by the depository or the office of the clerk to  
1160 defray the operating costs of the office after the clerk remits  
1161 \$15 to the Department of Revenue for deposit into the General  
1162 Revenue Fund.

1163 Section 20. Effective upon this act becoming a law and  
1164 retroactive to July 1, 2008, subsections (2) and (4) of section  
1165 327.35, Florida Statutes, are amended to read:

1166 327.35 Boating under the influence; penalties; "designated  
1167 drivers."—

1168 (2) (a) Except as provided in paragraph (b), subsection (3),  
1169 or subsection (4), any person who is convicted of a violation of  
1170 subsection (1) shall be punished:

1171 1. By a fine of:



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1172 a. Not less than \$500 or more than \$1,000 for a first  
1173 conviction.

1174 b. Not less than \$1,000 or more than \$2,000 for a second  
1175 conviction; and

1176 2. By imprisonment for:

1177 a. Not more than 6 months for a first conviction.

1178 b. Not more than 9 months for a second conviction.

1179

1180 The portion of a fine imposed in excess of \$500 pursuant to sub-  
1181 subparagraph 1.a. and the portion of a fine imposed in excess of  
1182 \$1,000 pursuant to sub-subparagraph 1.b., shall be remitted by  
1183 the clerk to the Department of Revenue for deposit into the  
1184 General Revenue Fund.

1185 (b)1. Any person who is convicted of a third violation of  
1186 this section for an offense that occurs within 10 years after a  
1187 prior conviction for a violation of this section commits a  
1188 felony of the third degree, punishable as provided in s.  
1189 775.082, s. 775.083, or s. 775.084.

1190 2. Any person who is convicted of a third violation of this  
1191 section for an offense that occurs more than 10 years after the  
1192 date of a prior conviction for a violation of this section shall  
1193 be punished by a fine of not less than \$2,000 or more than  
1194 \$5,000 and by imprisonment for not more than 12 months. The  
1195 portion of a fine imposed in excess of \$2,500 pursuant to this  
1196 subparagraph shall be remitted by the clerk to the Department of  
1197 Revenue for deposit into the General Revenue Fund.

1198 3. Any person who is convicted of a fourth or subsequent  
1199 violation of this section, regardless of when any prior  
1200 conviction for a violation of this section occurred, commits a



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1201 felony of the third degree, punishable as provided in s.  
1202 775.082, s. 775.083, or s. 775.084.

1203  
1204 However, the fine imposed for such fourth or subsequent  
1205 violation may not be less than \$2,000. The portion of such fine  
1206 imposed in excess of \$1,000 shall be remitted by the clerk to  
1207 the Department of Revenue for deposit into the General Revenue  
1208 Fund.

1209 (4) Any person who is convicted of a violation of  
1210 subsection (1) and who has a blood-alcohol level or breath-  
1211 alcohol level of 0.15 or higher, or any person who is convicted  
1212 of a violation of subsection (1) and who at the time of the  
1213 offense was accompanied in the vessel by a person under the age  
1214 of 18 years, shall be punished:

1215 (a) By a fine of:

1216 1. Not less than \$1,000 or more than \$2,000 for a first  
1217 conviction.

1218 2. Not less than \$2,000 or more than \$4,000 for a second  
1219 conviction.

1220 3. Not less than \$4,000 for a third or subsequent  
1221 conviction.

1222 (b) By imprisonment for:

1223 1. Not more than 9 months for a first conviction.

1224 2. Not more than 12 months for a second conviction.

1225  
1226 The portion of a fine imposed in excess of \$1,000 pursuant to  
1227 subparagraph (a)1. and the portion of a fine imposed in excess  
1228 of \$2,000 pursuant to subparagraph (a)2. or subparagraph (a)3.,  
1229 shall be remitted by the clerk to the Department of Revenue for



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1230 deposit into the General Revenue Fund. For the purposes of this  
1231 subsection, only the instant offense is required to be a  
1232 violation of subsection (1) by a person who has a blood-alcohol  
1233 level or breath-alcohol level of 0.15 or higher.

1234 Section 21. Effective upon this act becoming a law and  
1235 retroactive to July 1, 2008, subsection (4), paragraph (a) of  
1236 subsection (9), and paragraph (a) of subsection (11) of section  
1237 327.73, Florida Statutes, are amended to read:

1238 327.73 Noncriminal infractions.—

1239 (4) Any person charged with a noncriminal infraction under  
1240 this section may:

1241 (a) Pay the civil penalty, either by mail or in person,  
1242 within 30 days of the date of receiving the citation; or,

1243 (b) If he or she has posted bond, forfeit bond by not  
1244 appearing at the designated time and location.

1245  
1246 If the person cited follows either of the above procedures, he  
1247 or she shall be deemed to have admitted the noncriminal  
1248 infraction and to have waived the right to a hearing on the  
1249 issue of commission of the infraction. Such admission shall not  
1250 be used as evidence in any other proceedings. If a person who is  
1251 cited for a violation of s. 327.395 can show a boating safety  
1252 identification card issued to that person and valid at the time  
1253 of the citation, the clerk of the court may dismiss the case and  
1254 may assess a dismissal fee of up to \$10, from which the clerk  
1255 shall remit \$2.50 to the Department of Revenue for deposit into  
1256 the General Revenue Fund. If a person who is cited for a  
1257 violation of s. 328.72(13) can show proof of having a  
1258 registration for that vessel which was valid at the time of the



1259 citation, the clerk may dismiss the case and may assess the  
1260 dismissal fee, from which the clerk shall remit \$2.50 to the  
1261 Department of Revenue for deposit into the General Revenue Fund.

1262 (9) (a) Any person who fails to comply with the court's  
1263 requirements or who fails to pay the civil penalties specified  
1264 in this section within the 30-day period provided for in s.  
1265 327.72 must pay an additional court cost of up to \$20, which  
1266 shall be used by the clerks of the courts to defray the costs of  
1267 tracking unpaid uniform boating citations, from which the clerk  
1268 shall remit \$2 to the Department of Revenue for deposit into the  
1269 General Revenue Fund.

1270 (11) (a) Court costs that are to be in addition to the  
1271 stated civil penalty shall be imposed by the court in an amount  
1272 not less than the following:

1273 1. For swimming or diving infractions, \$4, from which the  
1274 clerk shall remit \$1 to the Department of Revenue for deposit  
1275 into the General Revenue Fund.

1276 2. For nonmoving boating infractions, \$18, from which the  
1277 clerk shall remit \$12 to the Department of Revenue for deposit  
1278 into the General Revenue Fund.

1279 3. For boating infractions listed in s. 327.731(1), \$35,  
1280 from which the clerk shall remit \$25 to the Department of  
1281 Revenue for deposit into the General Revenue Fund.

1282  
1283 Court costs imposed under this subsection may not exceed \$45. A  
1284 criminal justice selection center or both local criminal justice  
1285 access and assessment centers may be funded from these court  
1286 costs.

1287 Section 22. Effective upon this act becoming a law and



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1288 retroactive to July 1, 2008, paragraph (i) of subsection (1) of  
1289 section 379.401, Florida Statutes, is amended to read:

1290 379.401 Penalties and violations; civil penalties for  
1291 noncriminal infractions; criminal penalties; suspension and  
1292 forfeiture of licenses and permits.—

1293 (1) LEVEL ONE VIOLATIONS.—

1294 (i) A person cited for violating the requirements of s.  
1295 379.354 relating to personal possession of a license or permit  
1296 may not be convicted if, before or at the time of a county court  
1297 hearing, the person produces the required license or permit for  
1298 verification by the hearing officer or the court clerk. The  
1299 license or permit must have been valid at the time the person  
1300 was cited. The clerk or hearing officer may assess a \$10 fee for  
1301 costs under this paragraph, from which the clerk shall remit \$5  
1302 to the Department of Revenue for deposit into the General  
1303 Revenue Fund.

1304 Section 23. Effective upon this act becoming a law and  
1305 retroactive to July 1, 2008, subsection (1) of section 713.24,  
1306 Florida Statutes, is amended to read:

1307 713.24 Transfer of liens to security.—

1308 (1) Any lien claimed under this part may be transferred, by  
1309 any person having an interest in the real property upon which  
1310 the lien is imposed or the contract under which the lien is  
1311 claimed, from such real property to other security by either:

1312 (a) Depositing in the clerk's office a sum of money, or

1313 (b) Filing in the clerk's office a bond executed as surety  
1314 by a surety insurer licensed to do business in this state,

1315  
1316 either to be in an amount equal to the amount demanded in such



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1317 claim of lien, plus interest thereon at the legal rate for 3  
1318 years, plus \$1,000 or 25 percent of the amount demanded in the  
1319 claim of lien, whichever is greater, to apply on any attorney's  
1320 fees and court costs that may be taxed in any proceeding to  
1321 enforce said lien. Such deposit or bond shall be conditioned to  
1322 pay any judgment or decree which may be rendered for the  
1323 satisfaction of the lien for which such claim of lien was  
1324 recorded. Upon making such deposit or filing such bond, the  
1325 clerk shall make and record a certificate showing the transfer  
1326 of the lien from the real property to the security and shall  
1327 mail a copy thereof by registered or certified mail to the  
1328 lienor named in the claim of lien so transferred, at the address  
1329 stated therein. Upon filing the certificate of transfer, the  
1330 real property shall thereupon be released from the lien claimed,  
1331 and such lien shall be transferred to said security. In the  
1332 absence of allegations of privity between the lienor and the  
1333 owner, and subject to any order of the court increasing the  
1334 amount required for the lien transfer deposit or bond, no other  
1335 judgment or decree to pay money may be entered by the court  
1336 against the owner. The clerk shall be entitled to a service  
1337 charge for making and serving the certificate, in the amount of  
1338 up to \$20, from which the clerk shall remit \$5 to the Department  
1339 of Revenue for deposit into the General Revenue Fund. If the  
1340 transaction involves the transfer of multiple liens, an  
1341 additional charge of up to \$10 for each additional lien shall be  
1342 charged, from which the clerk shall remit \$2.50 to the  
1343 Department of Revenue for deposit into the General Revenue Fund.  
1344 For recording the certificate and approving the bond, the clerk  
1345 shall receive her or his usual statutory service charges as



252840

1346 prescribed in s. 28.24. Any number of liens may be transferred  
1347 to one such security.

1348 Section 24. Effective upon this act becoming a law and  
1349 retroactive to July 1, 2008, subsection (3) of section 721.83,  
1350 Florida Statutes, is amended to read:

1351 721.83 Consolidation of judicial foreclosure actions.—

1352 (3) A consolidated timeshare foreclosure action shall be  
1353 considered a single action, suit, or proceeding for the payment  
1354 of filing fees and service charges pursuant to general law. In  
1355 addition to the payment of such filing fees and service charges,  
1356 an additional filing fee of up to \$10 from which the clerk shall  
1357 remit \$5 to the Department of Revenue for deposit into the  
1358 General Revenue Fund for each timeshare interest joined in that  
1359 action shall be paid to the clerk of court.

1360 Section 25. Effective upon this act becoming a law and  
1361 retroactive to July 1, 2008, paragraph (a) of subsection (6) of  
1362 section 744.365, Florida Statutes, is amended to read:

1363 744.365 Verified inventory.—

1364 (6) AUDIT FEE.—

1365 (a) Where the value of the ward's property exceeds \$25,000,  
1366 a guardian shall pay from the ward's property to the clerk of  
1367 the circuit court a fee of up to \$85 from which the clerk shall  
1368 remit \$10 to the Department of Revenue for deposit into the  
1369 General Revenue Fund, upon the filing of the verified inventory,  
1370 for the auditing of the inventory. Upon petition by the  
1371 guardian, the court may waive the auditing fee upon a showing of  
1372 insufficient funds in the ward's estate. Any guardian unable to  
1373 pay the auditing fee may petition the court for waiver of the  
1374 fee. The court may waive the fee after it has reviewed the





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1375 documentation filed by the guardian in support of the waiver.

1376 Section 26. Effective upon this act becoming a law and  
1377 retroactive to July 1, 2008, subsection (4) of section 744.3678,  
1378 Florida Statutes, is amended to read:

1379 744.3678 Annual accounting.—

1380 (4) The guardian shall pay from the ward's estate to the  
1381 clerk of the circuit court a fee based upon the following  
1382 graduated fee schedule, upon the filing of the annual financial  
1383 return, for the auditing of the return:

1384 (a) For estates with a value of \$25,000 or less the clerk  
1385 of the court may charge a fee of up to \$20 from which the clerk  
1386 shall remit \$5 to the Department of Revenue for deposit into the  
1387 General Revenue Fund.

1388 (b) For estates with a value of more than \$25,000 up to and  
1389 including \$100,000 the clerk of the court may charge a fee of up  
1390 to \$85 from which the clerk shall remit \$10 to the Department of  
1391 Revenue for deposit into the General Revenue Fund.

1392 (c) For estates with a value of more than \$100,000 up to  
1393 and including \$500,000 the clerk of the court may charge a fee  
1394 of up to \$170 from which the clerk shall remit \$20 to the  
1395 Department of Revenue for deposit into the General Revenue Fund.

1396 (d) For estates with a value in excess of \$500,000 the  
1397 clerk of the court may charge a fee of up to \$250 from which the  
1398 clerk shall remit \$25 to the Department of Revenue for deposit  
1399 into the General Revenue Fund.

1400

1401 Upon petition by the guardian, the court may waive the auditing  
1402 fee upon a showing of insufficient funds in the ward's estate.  
1403 Any guardian unable to pay the auditing fee may petition the



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1404 court for a waiver of the fee. The court may waive the fee after  
1405 it has reviewed the documentation filed by the guardian in  
1406 support of the waiver.

1407 Section 27. Effective upon this act becoming a law and  
1408 retroactive to July 1, 2008, subsection (2) of section 766.104,  
1409 Florida Statutes, is amended to read:

1410 766.104 Medical negligence cases; reasonable investigation  
1411 required before filing.—

1412 (2) Upon petition to the clerk of the court where the suit  
1413 will be filed and payment to the clerk of a filing fee, not to  
1414 exceed \$42 from which the clerk shall remit \$4.50 to the  
1415 Department of Revenue for deposit into the General Revenue Fund,  
1416 an automatic 90-day extension of the statute of limitations  
1417 shall be granted to allow the reasonable investigation required  
1418 by subsection (1). This period shall be in addition to other  
1419 tolling periods. No court order is required for the extension to  
1420 be effective. The provisions of this subsection shall not be  
1421 deemed to revive a cause of action on which the statute of  
1422 limitations has run.

1423 Section 28. Effective upon this act becoming a law and  
1424 retroactive to July 1, 2008, subsection (1) of section 938.05,  
1425 Florida Statutes, is amended to read:

1426 938.05 Additional court costs for felonies, misdemeanors,  
1427 and criminal traffic offenses.—

1428 (1) Any person pleading nolo contendere to a misdemeanor or  
1429 criminal traffic offense under s. 318.14(10)(a) or pleading  
1430 guilty or nolo contendere to, or being found guilty of, any  
1431 felony, misdemeanor, or criminal traffic offense under the laws  
1432 of this state or the violation of any municipal or county



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1433 ordinance which adopts by reference any misdemeanor under state  
1434 law, shall pay as a cost in the case, in addition to any other  
1435 cost required to be imposed by law, a sum in accordance with the  
1436 following schedule:

1437       (a) Felonies \$225 from which the clerk shall remit \$25 to  
1438 the Department of Revenue for deposit into the General Revenue  
1439 Fund

1440       (b) Misdemeanors \$60 from which the clerk shall remit \$10  
1441 to the Department of Revenue for deposit into the General  
1442 Revenue Fund

1443       (c) Criminal traffic offenses \$60 from which the clerk  
1444 shall remit \$10 to the Department of Revenue for deposit into  
1445 the General Revenue Fund

1446       Section 29. The amendments made by this act to ss. 27.52,  
1447 28.24, 28.2401, 28.241, 34.041, 45.035, 55.505, 61.14, 316.193,  
1448 318.14, 318.15, 318.18, 322.245, 327.35, 327.73, 379.401,  
1449 713.24, 721.83, 744.365, 744.3678, 766.104, and 938.05, Florida  
1450 Statutes, are remedial and clarifying in nature and apply  
1451 retroactively to July 1, 2008.

1452       Section 30. The amendments to the jurisdiction of a court  
1453 made by this act shall apply with respect to the date of filing  
1454 the cause of action, regardless of when the cause of action  
1455 accrued.

1456       Section 31. Before the 2022 Regular Session of the  
1457 Legislature, the Legislature shall review and consider the  
1458 results of the analysis submitted pursuant to Specific  
1459 Appropriation 2754 of the 2019-2020 General Appropriations Act  
1460 regarding the review of the Clerk of Court Processes for the  
1461 purpose of considering the extension or reenactment of



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1462 provisions in this act relating to clerk funding.

1463       Section 32. Except as otherwise provided, and except for  
1464 this section, which shall take effect upon becoming a law, this  
1465 act shall take effect July 1, 2019.

1466

1467 ===== T I T L E   A M E N D M E N T =====

1468 And the title is amended as follows:

1469       Delete everything before the enacting clause  
1470 and insert:

1471

A bill to be entitled

1472       An act relating to courts; amending s. 26.012, F.S.;

1473       revising the appellate jurisdiction of circuit courts;

1474       providing for future repeal; amending s. 28.35, F.S.;

1475       modifying calculation of total combined budgets of the

1476       clerks of the court; providing a definition; amending

1477       s. 28.36, F.S.; providing for modified revenue

1478       projection relating to proposed budget of clerks of

1479       the court; providing a definition; amending s. 28.37,

1480       F.S.; providing for deposit of certain funds into

1481       specified trust funds or General Revenue Fund;

1482       amending s. 27.52, F.S.; providing for deposit of

1483       certain fees into General Revenue Fund; amending s.

1484       28.24, F.S.; providing for deposit of certain fees

1485       into General Revenue Fund; amending s. 28.2401, F.S.;

1486       providing for deposit of certain fees into General

1487       Revenue Fund; amending s. 28.241, F.S.; providing for

1488       deposit of certain fees into General Revenue Fund;

1489       requiring specified filing fees for appeals from

1490       certain county courts; amending s. 34.01, F.S.;



252840

1491 providing for deposit of certain fees into the General  
1492 Revenue Fund; increasing the jurisdictional limit for  
1493 actions at law by county courts on specified dates;  
1494 requiring the State Courts Administrator to submit a  
1495 report containing certain recommendations and reviews  
1496 to the Governor and the Legislature by a specified  
1497 date; amending s. 34.041, F.S.; providing county court  
1498 civil filing fees for claims of specified values;  
1499 providing for distribution of the fees; amending s.  
1500 44.108, F.S.; prohibiting the levy of certain fees for  
1501 mediation services in certain cases; amending s.  
1502 45.035, F.S.; providing for deposit of certain fees  
1503 into General Revenue Fund; amending s. 55.505, F.S.;  
1504 providing for deposit of certain fees into General  
1505 Revenue Fund; amending s. 61.14, F.S.; providing for  
1506 deposit of certain fees into General Revenue Fund;  
1507 amending s. 316.193, F.S., providing for deposit of  
1508 certain fees into General Revenue Fund; amending s.  
1509 318.14, F.S., providing for deposit of certain fees  
1510 into General Revenue Fund; amending s. 318.15, F.S.;  
1511 providing for deposit of certain fees into General  
1512 Revenue Fund; amending s. 318.18, F.S.; providing for  
1513 deposit of certain fees into General Revenue Fund;  
1514 amending s. 322.245, F.S.; providing for deposit of  
1515 certain fees into General Revenue Fund; amending s.  
1516 327.35, F.S.; providing for deposit of certain fees  
1517 into General Revenue Fund; amending s. 327.73, F.S.;  
1518 providing for deposit of certain fees into General  
1519 Revenue Fund; amending s. 379.401, F.S.; providing for



252840

1520 deposit of certain fees into General Revenue Fund;  
1521 amending s. 713.24, F.S.; providing for deposit of  
1522 certain fees into General Revenue Fund; amending s.  
1523 721.83, F.S.; providing for deposit of certain fees  
1524 into General Revenue Fund; amending s. 744.365, F.S.;  
1525 providing for deposit of certain fees into General  
1526 Revenue Fund; amending s. 744.3678, F.S.; providing  
1527 for deposit of certain fees into General Revenue Fund;  
1528 amending s. 766.104, F.S.; providing for deposit of  
1529 certain fees into General Revenue Fund; amending s.  
1530 938.05, F.S.; providing for deposit of certain fees  
1531 into General Revenue Fund; providing for  
1532 retroactivity; providing applicability; requiring a  
1533 certain Legislative review; providing effective dates.