

By Senator Wright

14-01756B-20

20201328__

1 A bill to be entitled
2 An act relating to fines and fees; amending s. 28.24,
3 F.S.; revising specified service charges for recording
4 documents with the clerk of the circuit court;
5 amending s. 28.246, F.S.; revising the methods by
6 which the clerk of the circuit court may accept
7 payments for certain fees, charges, costs, and fines;
8 requiring the court to enroll certain persons in a
9 monthly payment plan under certain circumstances;
10 providing requirements for the payment plan;
11 authorizing a court to convert certain fines and fees
12 to community service under specified circumstances;
13 authorizing certain persons to have their payment
14 plans terminated if certain requirements are met;
15 amending s. 28.42, F.S.; requiring the Office of the
16 State Courts Administrator to develop a uniform
17 payment plan form by a specified date; providing
18 minimum criteria for the form; amending s. 318.15,
19 F.S.; deleting provisions specifying procedures to be
20 used if a person fails to comply with certain court-
21 ordered requirements; authorizing certain persons to
22 reinstate their suspended driver licenses under
23 certain circumstances; amending s. 322.245, F.S.;
24 authorizing certain persons to reinstate their
25 suspended driver licenses under certain circumstances;
26 deleting provisions requiring the department to
27 suspend the driver licenses of certain persons who
28 have failed to pay financial obligations for certain
29 criminal offenses; deleting provisions addressing the

14-01756B-20

20201328__

30 reinstatement of such suspended licenses; amending ss.
 31 34.191 and 320.03, F.S.; conforming cross-references;
 32 reenacting ss. 27.52(5)(i) and 57.082(6), F.S.,
 33 relating to determination of indigent status, to
 34 incorporate the amendment made to s. 28.24, F.S., in
 35 references thereto; providing an effective date.

37 Be It Enacted by the Legislature of the State of Florida:

39 Section 1. Subsection (26) of section 28.24, Florida
 40 Statutes, is amended to read:

41 28.24 Service charges.—The clerk of the circuit court shall
 42 charge for services rendered manually or electronically by the
 43 clerk’s office in recording documents and instruments and in
 44 performing other specified duties. These charges may not exceed
 45 those specified in this section, except as provided in s.
 46 28.345.

47 (26) (a) For receiving and disbursing all restitution
 48 payments, per payment: 3.50, from which the clerk shall remit
 49 0.50 per payment to the Department of Revenue for deposit into
 50 the General Revenue Fund.

51 ~~(b) For receiving and disbursing all partial payments,~~
 52 ~~other than restitution payments, for which an administrative~~
 53 ~~processing service charge is not imposed pursuant to s. 28.246,~~
 54 ~~per month.....5.00~~

55 (b) (e) For setting up a payment plan, a one-time
 56 administrative processing charge; in lieu of a per month charge
 57 under paragraph (b).....25.00

58 (c) In lieu of the administrative processing charge in

14-01756B-20

20201328__

59 paragraph (b), a one-time administrative processing charge that
 60 covers all payment plans within a particular county for a person
 61 who is indigent as described in s. 27.52(2)(a), a person who
 62 receives public assistance as defined in s. 409.2554, or a
 63 person whose household income is below 200 percent of the
 64 federal poverty level based on the current year's federal
 65 poverty guidelines:.....5.00

66 Section 2. Section 28.246, Florida Statutes, is amended to
 67 read:

68 28.246 Payment of court-related fines or other monetary
 69 penalties, fees, charges, and costs; monthly ~~partial~~ payments;
 70 community service; distribution of funds.-

71 (1) The clerk of the circuit court shall report the
 72 following information to the Legislature and the Florida Clerks
 73 of Court Operations Corporation on a form, and using guidelines
 74 developed by the clerks of court, through their association and
 75 in consultation with the Office of the State Courts
 76 Administrator:

77 (a) The total amount of mandatory fees, service charges,
 78 and costs assessed; the total amount underassessed, if any,
 79 which is the amount less than the minimum amount required by law
 80 to be assessed; and the total amount collected.

81 (b) The total amount of discretionary fees, service
 82 charges, and costs assessed and the total amount collected.

83 (c) The total amount of mandatory fines and other monetary
 84 penalties assessed; the total amount underassessed, if any,
 85 which is the amount less than the minimum amount required by law
 86 to be assessed; and the total amount collected.

87 (d) The total amount of discretionary fines and other

14-01756B-20

20201328__

88 monetary penalties assessed and the total amount collected.

89

90 The clerk, in reporting to the Legislature and corporation,
91 shall separately identify the monetary amount assessed and
92 subsequently discharged or converted to community service, to a
93 judgment or lien, or to time served. The form developed by the
94 clerks shall include separate entries for recording the amount
95 discharged and the amount converted. If a court waives,
96 suspends, or reduces an assessment as authorized by law, the
97 portion waived, suspended, or reduced may not be deemed assessed
98 or underassessed for purposes of the reporting requirements of
99 this section. The clerk also shall report a collection rate for
100 mandatory and discretionary assessments. In calculating the
101 rate, the clerk shall deduct amounts discharged or converted
102 from the amount assessed. The clerk shall submit the report on
103 an annual basis 90 days after the end of the county fiscal year.
104 The clerks and the courts shall develop by October 1, 2012, the
105 form and guidelines to govern the accurate and consistent
106 reporting statewide of assessments as provided in this section.
107 The clerk shall use the new reporting form and guidelines in
108 submitting the report for the county fiscal year ending
109 September 30, 2013, and for each year thereafter.

110 (2) The clerk of the circuit court shall establish and
111 maintain a system of accounts receivable for court-related fees,
112 charges, and costs.

113 (3) Court costs, fines, and other dispositional assessments
114 shall be enforced by order of the courts, collected by the
115 clerks of the circuit and county courts, and disbursed in
116 accordance with authorizations and procedures as established by

14-01756B-20

20201328__

117 general law.

118 (4) The clerk of the circuit court shall accept monthly
119 ~~partial~~ payments for court-related fees, service charges, costs,
120 and fines electronically, by mail, in person, or by a community-
121 based organization authorized by the clerk to collect such
122 payments in accordance with the terms of an established payment
123 plan and shall enroll in a monthly payment plan any person. ~~An~~
124 ~~individual~~ seeking to defer payment of fees, service charges,
125 costs, or fines imposed by operation of law or order of the
126 court under any provision of general law ~~shall apply to the~~
127 ~~clerk for enrollment in a payment plan.~~ ~~The clerk shall enter~~
128 ~~into a payment plan with an individual who the court determines~~
129 ~~is indigent for costs.~~ A monthly payment amount shall be,
130 calculated based upon all finer, fees, service charges, and all
131 anticipated costs and must, ~~is presumed to~~ correspond to the
132 person's ability to pay. The monthly payment shall be the
133 greater of \$10 per month, per county or if the amount does not
134 ~~exceed~~ 2 percent of the person's annual net income, as defined
135 in s. 27.52(1), divided by 12. If a county has more than one
136 case open for a person against whom fines, service charges,
137 fees, and costs have been assessed, the monthly payment plan
138 must include the amounts assessed for all of the cases. If a
139 person is not in custody, the plan must provide a 30-day grace
140 period for the person to make the first payment. If a person is
141 incarcerated, the first payment is due 90 days after the date
142 the person is released from custody. The court may, on its own
143 motion or by petition, review and modify the ~~reasonableness of~~
144 ~~the payment plan~~ or convert the outstanding fees, service
145 charges, costs, or fines to community service if the court

14-01756B-20

20201328__

146 determines that the person is otherwise unable to comply with
147 the terms of the payment plan.

148 (5) A person who is indigent as described in s. 27.52(2), a
149 person who receives public assistance as defined in s. 409.2554,
150 or a person whose household income is below 200 percent of the
151 federal poverty level based on the current year's federal
152 poverty guidelines may petition the court to declare that the
153 financial obligations under the payment plan have been met and
154 to terminate the payment plan if, up to the date of the
155 petition, the person made timely payments for:

156 (a) Twelve consecutive months for any financial obligation
157 that was \$500 or less;

158 (b) Twenty-four consecutive months for any financial
159 obligation that was greater than \$500 but \$1,000 or less; or

160 (c) Thirty-six consecutive months for any financial
161 obligation that was greater than \$1,000.

162 (6)~~(5)~~ When receiving partial payment of fees, service
163 charges, court costs, and fines, clerks shall distribute funds
164 according to the following order of priority:

165 (a) That portion of fees, service charges, court costs, and
166 fines to be remitted to the state for deposit into the General
167 Revenue Fund.

168 (b) That portion of fees, service charges, court costs, and
169 fines required to be retained by the clerk of the court or
170 deposited into the Clerks of the Court Trust Fund within the
171 Department of Revenue.

172 (c) That portion of fees, service charges, court costs, and
173 fines payable to state trust funds, allocated on a pro rata
174 basis among the various authorized funds if the total collection

14-01756B-20

20201328__

175 amount is insufficient to fully fund all such funds as provided
176 by law.

177 (d) That portion of fees, service charges, court costs, and
178 fines payable to counties, municipalities, or other local
179 entities, allocated on a pro rata basis among the various
180 authorized recipients if the total collection amount is
181 insufficient to fully fund all such recipients as provided by
182 law.

183
184 To offset processing costs, clerks may impose ~~either a per-month~~
185 ~~service charge pursuant to s. 28.24(26)(b) or~~ a one-time
186 administrative processing service charge at the inception of the
187 payment plan pursuant to s. 28.24(26)(b) or (c) ~~s. 28.24(26)(c)~~.

188 (7)~~(6)~~ A clerk of court shall pursue the collection of any
189 fees, service charges, fines, court costs, and liens for the
190 payment of attorney fees and costs pursuant to s. 938.29 which
191 remain unpaid after 90 days by referring the account to a
192 private attorney who is a member in good standing of The Florida
193 Bar or collection agent who is registered and in good standing
194 pursuant to chapter 559. In pursuing the collection of such
195 unpaid financial obligations through a private attorney or
196 collection agent, the clerk of the court must have attempted to
197 collect the unpaid amount through a collection court,
198 collections docket, or other collections process, if any,
199 established by the court, find this to be cost-effective and
200 follow any applicable procurement practices. The collection fee,
201 including any reasonable attorney's fee, paid to any attorney or
202 collection agent retained by the clerk may be added to the
203 balance owed in an amount not to exceed 40 percent of the amount

14-01756B-20

20201328__

204 owed at the time the account is referred to the attorney or
205 agent for collection. The clerk shall give the private attorney
206 or collection agent the application for the appointment of
207 court-appointed counsel regardless of whether the court file is
208 otherwise confidential from disclosure.

209 Section 3. Section 28.42, Florida Statutes, is amended to
210 read:

211 28.42 Manual of filing fees, charges, costs, and fines;
212 uniform payment plan forms.—

213 (1) The clerks of court, through their association and in
214 consultation with the Office of the State Courts Administrator,
215 shall prepare and disseminate a manual of filing fees, service
216 charges, costs, and fines imposed pursuant to state law, for
217 each type of action and offense, and classified as mandatory or
218 discretionary. The manual also shall classify the fee, charge,
219 cost, or fine as court-related revenue or noncourt-related
220 revenue. The clerks, through their association, shall
221 disseminate this manual to the chief judge, state attorney,
222 public defender, and court administrator in each circuit and to
223 the clerk of the court in each county. The clerks, through their
224 association and in consultation with the Office of the State
225 Courts Administrator, shall at a minimum update and disseminate
226 this manual on July 1 of each year.

227 (2) By October 1, 2021, the Office of the State Courts
228 Administrator, in consultation with the clerks of court and the
229 Florida Clerks of Court Operations Corporation, shall develop a
230 uniform payment plan form for use by persons seeking to
231 establish a payment plan in accordance with s. 28.246. The form
232 must inform the person about the minimum payment due each month,

14-01756B-20

20201328__

233 the term of the plan, acceptable payment methods, and the
234 circumstances under which a case may be sent to collections for
235 nonpayment.

236 Section 4. Section 318.15, Florida Statutes, is amended to
237 read:

238 318.15 Failure to comply with civil penalty or to appear;
239 penalty.-

240 ~~(1)(a) If a person fails to comply with the civil penalties~~
241 ~~provided in s. 318.18 within the time period specified in s.~~
242 ~~318.14(4), fails to enter into or comply with the terms of a~~
243 ~~penalty payment plan with the clerk of the court in accordance~~
244 ~~with ss. 318.14 and 28.246, fails to attend driver improvement~~
245 ~~school, or fails to appear at a scheduled hearing, the clerk of~~
246 ~~the court shall notify the Department of Highway Safety and~~
247 ~~Motor Vehicles of such failure within 10 days after such~~
248 ~~failure. Upon receipt of such notice, the department shall~~
249 ~~immediately issue an order suspending the driver license and~~
250 ~~privilege to drive of such person effective 20 days after the~~
251 ~~date the order of suspension is mailed in accordance with s.~~
252 ~~322.251(1), (2), and (6). Any such suspension of the driving~~
253 ~~privilege which has not been reinstated, including a similar~~
254 ~~suspension imposed outside Florida, shall remain on the records~~
255 ~~of the department for a period of 7 years from the date imposed~~
256 ~~and shall be removed from the records after the expiration of 7~~
257 ~~years from the date it is imposed. The department may not accept~~
258 ~~the resubmission of such suspension.~~

259 ~~(b) However,~~ A person who elects to attend driver
260 improvement school and has paid the civil penalty as provided in
261 s. 318.14(9) but who subsequently fails to attend the driver

14-01756B-20

20201328__

262 improvement school within the time specified by the court is
263 deemed to have admitted the infraction and shall be adjudicated
264 guilty. If the person received an 18-percent reduction pursuant
265 to s. 318.14(9), the person must pay the clerk of the court that
266 amount and a processing fee of up to \$18, from which the clerk
267 shall remit \$3 to the Department of Revenue for deposit into the
268 General Revenue Fund, after which additional penalties, court
269 costs, or surcharges may not be imposed for the violation. In
270 all other such cases, the person must pay the clerk a processing
271 fee of up to \$18, from which the clerk shall remit \$3 to the
272 Department of Revenue for deposit into the General Revenue Fund,
273 after which additional penalties, court costs, or surcharges may
274 not be imposed for the violation. The clerk of the court shall
275 notify the department of the person's failure to attend driver
276 improvement school and points shall be assessed pursuant to s.
277 322.27.

278 (2)~~(e)~~ A person who is charged with a traffic infraction
279 may request a hearing within 180 days after the date upon which
280 the violation occurred, ~~regardless of any action taken by the~~
281 ~~court or the department to suspend the person's driving~~
282 ~~privilege,~~ and, upon request, the clerk must set the case for
283 hearing. ~~The person shall be given a form for requesting that~~
284 ~~his or her driving privilege be reinstated.~~ If the 180th day
285 after the date upon which the violation occurred is a Saturday,
286 Sunday, or legal holiday, the person who is charged must request
287 a hearing within 177 days after the date upon which the
288 violation occurred; however, the court may grant a request for a
289 hearing made more than 180 days after the date upon which the
290 violation occurred. This subsection ~~paragraph~~ does not affect

14-01756B-20

20201328__

291 the assessment of late fees as otherwise provided in this
292 chapter.

293 ~~(2) After the suspension of a person's driver license and~~
294 ~~privilege to drive under subsection (1), the license and~~
295 ~~privilege may not be reinstated until the person complies with~~
296 ~~the terms of a periodic payment plan or a revised payment plan~~
297 ~~with the clerk of the court pursuant to ss. 318.14 and 28.246 or~~
298 ~~with all obligations and penalties imposed under s. 318.18 and~~
299 ~~presents to a driver license office a certificate of compliance~~
300 ~~issued by the court, together with a nonrefundable service~~
301 ~~charge of \$60 imposed under s. 322.29, or presents a certificate~~
302 ~~of compliance and pays the service charge to the clerk of the~~
303 ~~court or a driver licensing agent authorized under s. 322.135~~
304 ~~clearing such suspension. Of the charge collected, \$22.50 shall~~
305 ~~be remitted to the Department of Revenue to be deposited into~~
306 ~~the Highway Safety Operating Trust Fund. Such person must also~~
307 ~~be in compliance with requirements of chapter 322 before~~
308 ~~reinstatement.~~

309 (3) A person whose driver license was suspended solely for
310 nonpayment pursuant to this section before July 1, 2020, and who
311 is otherwise eligible to drive may reinstate his or her driver
312 license upon payment of a reinstatement fee ~~The clerk shall~~
313 ~~notify the department of persons who were mailed a notice of~~
314 ~~violation of s. 316.074(1) or s. 316.075(1)(c)1. pursuant to s.~~
315 ~~316.0083 and who failed to enter into, or comply with the terms~~
316 ~~of, a penalty payment plan, or order with the clerk to the local~~
317 ~~hearing officer or failed to appear at a scheduled hearing~~
318 ~~within 10 days after such failure, and shall reference the~~
319 ~~person's driver license number, or in the case of a business~~

14-01756B-20

20201328__

320 ~~entity, vehicle registration number.~~

321 ~~(a) Upon receipt of such notice, the department, or~~
322 ~~authorized agent thereof, may not issue a license plate or~~
323 ~~revalidation sticker for any motor vehicle owned or co-owned by~~
324 ~~that person pursuant to s. 320.03(8) until the amounts assessed~~
325 ~~have been fully paid.~~

326 ~~(b) After the issuance of the person's license plate or~~
327 ~~revalidation sticker is withheld pursuant to paragraph (a), the~~
328 ~~person may challenge the withholding of the license plate or~~
329 ~~revalidation sticker only on the basis that the outstanding~~
330 ~~finances and civil penalties have been paid pursuant to s.~~
331 ~~320.03(8).~~

332 Section 5. Subsections (1) and (5) of section 322.245,
333 Florida Statutes, are amended to read:

334 322.245 Suspension of license upon failure of person
335 charged with specified offense under chapter 316, chapter 320,
336 or this chapter to comply with directives ordered by traffic
337 court or upon failure to pay child support in non-IV-D cases as
338 provided in chapter 61 or failure to pay any financial
339 obligation in any other criminal case.-

340 (1) If a person charged with a violation of any of the
341 criminal offenses enumerated in s. 318.17 or with the commission
342 of any offense constituting a misdemeanor under chapter 320 or
343 this chapter fails to comply with all of the directives of the
344 court within the time allotted by the court, other than the
345 payment of fines, service charges, fees, or costs, the clerk of
346 the traffic court shall mail to the person, at the address
347 specified on the uniform traffic citation, a notice of such
348 failure, notifying him or her that, if he or she does not comply

14-01756B-20

20201328__

349 with the directives of the court within 30 days after the date
350 of the notice and pay a delinquency fee of up to \$25 to the
351 clerk, from which the clerk shall remit \$10 to the Department of
352 Revenue for deposit into the General Revenue Fund, his or her
353 driver license will be suspended. The notice shall be mailed no
354 later than 5 days after such failure. The delinquency fee may be
355 retained by the office of the clerk to defray the operating
356 costs of the office.

357 (5)(a) A person whose driver license was suspended solely
358 for nonpayment pursuant to this section before July 1, 2020, and
359 who is otherwise eligible to drive may reinstate his or her
360 driver license upon payment of a reinstatement fee ~~When the~~
361 ~~department receives notice from a clerk of the court that a~~
362 ~~person licensed to operate a motor vehicle in this state under~~
363 ~~the provisions of this chapter has failed to pay financial~~
364 ~~obligations for any criminal offense other than those specified~~
365 ~~in subsection (1), in full or in part under a payment plan~~
366 ~~pursuant to s. 28.246(4), the department shall suspend the~~
367 ~~license of the person named in the notice.~~

368 ~~(b) The department must reinstate the driving privilege~~
369 ~~when the clerk of the court provides an affidavit to the~~
370 ~~department stating that:~~

371 ~~1. The person has satisfied the financial obligation in~~
372 ~~full or made all payments currently due under a payment plan;~~

373 ~~2. The person has entered into a written agreement for~~
374 ~~payment of the financial obligation if not presently enrolled in~~
375 ~~a payment plan; or~~

376 ~~3. A court has entered an order granting relief to the~~
377 ~~person ordering the reinstatement of the license.~~

14-01756B-20

20201328__

378 ~~(c) The department shall not be held liable for any license~~
379 ~~suspension resulting from the discharge of its duties under this~~
380 ~~section.~~

381 Section 6. Subsection (1) of section 34.191, Florida
382 Statutes, is amended to read:

383 34.191 Fines and forfeitures; dispositions.—

384 (1) All fines and forfeitures arising from offenses tried
385 in the county court shall be collected and accounted for by the
386 clerk of the court and, other than the charge provided in s.
387 318.1215, disbursed in accordance with ss. 28.2402, 34.045,
388 142.01, and 142.03 and subject to s. 28.246(6) and (7) ~~the~~
389 ~~provisions of s. 28.246(5) and (6)~~. Notwithstanding the
390 provisions of this section, all fines and forfeitures arising
391 from operation of the provisions of s. 318.1215 shall be
392 disbursed in accordance with that section.

393 Section 7. Subsection (8) of section 320.03, Florida
394 Statutes, is amended to read:

395 320.03 Registration; duties of tax collectors;
396 International Registration Plan.—

397 (8) If the applicant's name appears on the list referred to
398 in s. 316.1001(4), s. 316.1967(6), ~~s. 318.15(3)~~, or s.
399 713.78(13), a license plate or revalidation sticker may not be
400 issued until that person's name no longer appears on the list or
401 until the person presents a receipt from the governmental entity
402 or the clerk of court that provided the data showing that the
403 fines outstanding have been paid. This subsection does not apply
404 to the owner of a leased vehicle if the vehicle is registered in
405 the name of the lessee of the vehicle. The tax collector and the
406 clerk of the court are each entitled to receive monthly, as

14-01756B-20

20201328__

407 costs for implementing and administering this subsection, 10
408 percent of the civil penalties and fines recovered from such
409 persons. As used in this subsection, the term "civil penalties
410 and fines" does not include a wrecker operator's lien as
411 described in s. 713.78(13). If the tax collector has private tag
412 agents, such tag agents are entitled to receive a pro rata share
413 of the amount paid to the tax collector, based upon the
414 percentage of license plates and revalidation stickers issued by
415 the tag agent compared to the total issued within the county.
416 The authority of any private agent to issue license plates shall
417 be revoked, after notice and a hearing as provided in chapter
418 120, if he or she issues any license plate or revalidation
419 sticker contrary to the provisions of this subsection. This
420 section applies only to the annual renewal in the owner's birth
421 month of a motor vehicle registration and does not apply to the
422 transfer of a registration of a motor vehicle sold by a motor
423 vehicle dealer licensed under this chapter, except for the
424 transfer of registrations which includes the annual renewals.
425 This section does not affect the issuance of the title to a
426 motor vehicle, notwithstanding s. 319.23(8)(b).

427 Section 8. For the purpose of incorporating the amendment
428 made by this act to section 28.24, Florida Statutes, in a
429 reference thereto, paragraph (i) of subsection (5) of section
430 27.52, Florida Statutes, is reenacted to read:

431 27.52 Determination of indigent status.—

432 (5) INDIGENT FOR COSTS.—A person who is eligible to be
433 represented by a public defender under s. 27.51 but who is
434 represented by private counsel not appointed by the court for a
435 reasonable fee as approved by the court or on a pro bono basis,

14-01756B-20

20201328__

436 or who is proceeding pro se, may move the court for a
437 determination that he or she is indigent for costs and eligible
438 for the provision of due process services, as prescribed by ss.
439 29.006 and 29.007, funded by the state.

440 (i) A defendant who is found guilty of a criminal act by a
441 court or jury or enters a plea of guilty or nolo contendere and
442 who received due process services after being found indigent for
443 costs under this subsection is liable for payment of due process
444 costs expended by the state.

445 1. The attorney representing the defendant, or the
446 defendant if he or she is proceeding pro se, shall provide an
447 accounting to the court delineating all costs paid or to be paid
448 by the state within 90 days after disposition of the case
449 notwithstanding any appeals.

450 2. The court shall issue an order determining the amount of
451 all costs paid by the state and any costs for which prepayment
452 was waived under this section or s. 57.081. The clerk shall
453 cause a certified copy of the order to be recorded in the
454 official records of the county, at no cost. The recording
455 constitutes a lien against the person in favor of the state in
456 the county in which the order is recorded. The lien may be
457 enforced in the same manner prescribed in s. 938.29.

458 3. If the attorney or the pro se defendant fails to provide
459 a complete accounting of costs expended by the state and
460 consequently costs are omitted from the lien, the attorney or
461 pro se defendant may not receive reimbursement or any other form
462 of direct or indirect payment for those costs if the state has
463 not paid the costs. The attorney or pro se defendant shall repay
464 the state for those costs if the state has already paid the

14-01756B-20

20201328__

465 costs. The clerk of the court may establish a payment plan under
466 s. 28.246 and may charge the attorney or pro se defendant a one-
467 time administrative processing charge under s. 28.24(26)(c).

468 Section 9. For the purpose of incorporating the amendment
469 made by this act to section 28.24, Florida Statutes, in a
470 reference thereto, subsection (6) of section 57.082, Florida
471 Statutes, is reenacted to read:

472 57.082 Determination of civil indigent status.—

473 (6) PROCESSING CHARGE; PAYMENT PLANS.—A person who the
474 clerk or the court determines is indigent for civil proceedings
475 under this section shall be enrolled in a payment plan under s.
476 28.246 and shall be charged a one-time administrative processing
477 charge under s. 28.24(26)(c). A monthly payment amount,
478 calculated based upon all fees and all anticipated costs, is
479 presumed to correspond to the person's ability to pay if it does
480 not exceed 2 percent of the person's annual net income, as
481 defined in subsection (1), divided by 12. The person may seek
482 review of the clerk's decisions regarding a payment plan
483 established under s. 28.246 in the court having jurisdiction
484 over the matter. A case may not be impeded in any way, delayed
485 in filing, or delayed in its progress, including the final
486 hearing and order, due to nonpayment of any fees or costs by an
487 indigent person. Filing fees waived from payment under s. 57.081
488 may not be included in the calculation related to a payment plan
489 established under this section.

490 Section 10. This act shall take effect July 1, 2020.