

By Senator Hooper

16-00648B-20

2020590\_\_

1 A bill to be entitled  
2 An act relating to clerks of the court; amending s.  
3 40.29, F.S.; deleting a requirement that the Justice  
4 Administrative Commission provide funds to the clerks  
5 of the court to compensate jurors and pay for certain  
6 expenses and certain jury-related personnel costs;  
7 amending s. 213.131, F.S.; providing the purpose of  
8 the Clerks of the Court Trust Fund within the  
9 Department of Revenue; requiring the distribution of  
10 certain funds to cover projected revenue deficits;  
11 requiring the Florida Clerks of Court Operations  
12 Corporation to conduct an end-of-year reconciliation  
13 of certain funds to ensure that the clerks of the  
14 court receive approved budget amounts; requiring the  
15 department to deposit certain funds into the trust  
16 fund for purposes of compensating jurors and paying  
17 certain expenses and certain jury-related personnel  
18 costs; providing requirements relating to such  
19 reimbursement; specifying that the clerks of the court  
20 are responsible for any such costs that exceed the  
21 amount appropriated by the Legislature; providing an  
22 effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. Subsection (5) of section 40.29, Florida  
27 Statutes, is amended to read:

28 40.29 Payment of due-process costs.—

29 ~~(5) The Justice Administrative Commission shall provide~~

16-00648B-20

2020590\_\_

~~funds to the clerks of the court to compensate jurors, to pay for meals or lodging provided to jurors, and to pay for jury-related personnel costs as provided in this section. Each clerk of the court shall forward to the Justice Administrative Commission a quarterly estimate of funds necessary to compensate jurors and pay for meals or lodging provided to jurors during the upcoming quarter. The Florida Clerks of Court Operations Corporation shall forward to the Justice Administrative Commission a quarterly estimate of the amount necessary to reimburse each clerk of the court for its personnel and other costs related to jury management. Upon receipt of such estimates, the Justice Administrative Commission shall determine the amount deemed necessary for payment to the clerks of the court during the upcoming quarter and submit a request for payment to the Chief Financial Officer. If the Justice Administrative Commission believes that the amount appropriated by the Legislature is insufficient to meet such costs during the remaining part of the state fiscal year, the commission may apportion the funds appropriated in the General Appropriations Act for those purposes among the several counties, basing the apportionment upon the amount expended for such purposes in each county during the prior fiscal year, in which case, the Chief Financial Officer shall issue the appropriate apportioned amount by warrant to each county. The clerks of the court are responsible for any compensation to jurors, for payments for meals or lodging provided to jurors, and for jury-related personnel costs that exceed the funding provided in the General Appropriations Act for these purposes.~~

Section 2. Section 213.131, Florida Statutes, is amended to

16-00648B-20

2020590\_\_

59 read:

60 213.131 Clerks of the Court Trust Fund within the  
61 Department of Revenue.—

62 (1) The Clerks of the Court Trust Fund is created within  
63 the Department of Revenue.

64 (2) The trust fund is established as a depository for the  
65 portion of all fines, fees, service charges, and costs collected  
66 monthly by the clerks of the court which is in excess of one-  
67 twelfth of the clerks' total budget. Other funds that may be  
68 deposited in the trust fund include revenues designated for that  
69 purpose by law, funds appropriated by the Legislature, and  
70 grants from public or private entities, pursuant to s. 28.36.

71 (3) Funds collected monthly that exceed one-twelfth of the  
72 clerks' total budget must be used for the purpose of providing  
73 funds to clerks of the court with projected revenue deficits.

74 (4) From the funds collected in excess of one-twelfth of  
75 the clerks' total budget and deposited into the trust fund, the  
76 Florida Clerks of Court Operations Corporation shall conduct an  
77 end-of-year reconciliation to ensure that clerks receive their  
78 approved budget amounts established under s. 28.35.

79 (5) The Department of Revenue shall deposit in the trust  
80 fund funds appropriated to the clerks of the court in the  
81 General Appropriations Act for the purpose of compensating  
82 jurors, paying for meals and lodging provided to jurors, and  
83 paying for jury-related personnel and operational costs as  
84 provided in that act. Each clerk of the court shall submit a  
85 request for reimbursement to the Florida Clerks of Court  
86 Operations Corporation within 30 days after each quarter  
87 attesting to the clerk's actual costs to compensate jurors, to

16-00648B-20

2020590\_\_

88 pay for meals and lodging provided to jurors, and to pay for  
89 jury-related personnel and operational costs. The Florida Clerks  
90 of Court Operations Corporation shall review the request for  
91 reimbursement to ensure that the costs are reasonable and  
92 directly related to jury management and shall forward to the  
93 Department of Revenue the amount necessary to reimburse each  
94 clerk of the court. The clerks of the court are responsible for  
95 any compensation to jurors, for payments for meals or lodging  
96 provided to jurors, and for jury-related personnel and  
97 operational costs that exceed the funding provided in the  
98 General Appropriations Act for these purposes.

99 Section 3. This act shall take effect July 1, 2020.