

1 A bill to be entitled
 2 An act relating to court service charges; amending s.
 3 28.001, F.S.; defining the term "court records";
 4 amending s. 28.24, F.S.; specifying the amount of
 5 charges for certain services rendered and noncourt
 6 records filed by the clerk of the circuit court;
 7 amending s. 28.241, F.S.; specifying the amount of
 8 service charges that must be deposited into the
 9 General Revenue Fund for filing certain appeals;
 10 amending s. 28.222, F.S.; requiring service charges to
 11 be distributed in a specified manner; providing an
 12 effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Subsections (1) and (2) of section 28.001,
 17 Florida Statutes, are renumbered as subsections (2) and (3),
 18 respectively, and a new subsection (1) is added to that section
 19 to read:

20 28.001 Definitions.—As used in this chapter:

21 (1) "Court records" means the contents of a court file and
 22 also includes:

23 (a) The progress docket and other similar records
 24 generated to document activity in a case.

25 (b) Transcripts filed with the clerk.

26 (c) Documentary exhibits in the custody of the clerk.

27 (d) Electronic records, videotapes, or stenographic tapes
 28 of depositions or other proceedings filed with the clerk.

29 (e) Electronic records, videotapes, and stenographic tapes
 30 of court proceedings.

31 Section 2. Subsections (3), (4), (6), (8), (13), (14),
 32 (17), and (20) of section 28.24, Florida Statutes, are amended
 33 to read:

34 28.24 Service charges.—The clerk of the circuit court
 35 shall charge for services rendered manually or electronically by
 36 the clerk's office in recording documents and instruments and in
 37 performing other specified duties. These charges may not exceed
 38 those specified in this section, except as provided in s.
 39 28.345.

40 (3) (a) For certifying copies of any instrument that is a
 41 court record in the public records: 2.00, from which the clerk
 42 shall remit 0.50 to the Department of Revenue for deposit into
 43 the General Revenue Fund.

44 (b) For certifying copies of any instrument that is not a
 45 court record in the public records: 2.00.

46 (4) (a) For verifying any instrument that is a court record
 47 presented for certification prepared by someone other than the
 48 clerk, per page: 3.50, from which the clerk shall remit 0.50 per
 49 page to the Department of Revenue for deposit into the General
 50 Revenue Fund.

51 (b) For verifying any instrument that is not a court
52 record presented for certification prepared by someone other
53 than the clerk, per page: 3.50.

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

55 (a) That are court records:

56 1.(a) 16 mm 100' microfilm roll: 42.00, from which the
57 clerk shall remit 4.50 to the Department of Revenue for deposit
58 into the General Revenue Fund.

59 2.(b) 35 mm 100' microfilm roll: 60.00, from which the
60 clerk shall remit 7.50 to the Department of Revenue for deposit
61 into the General Revenue Fund.

62 3.(c) Microfiche, per fiche: 3.50, from which the clerk
63 shall remit 0.50 to the Department of Revenue for deposit into
64 the General Revenue Fund.

65 (b) That are not court records:

66 1. 16 mm 100' microfilm roll: 42.00

67 2. 35 mm 100' microfilm roll: 60.00

68 3. Microfiche, per fiche: 3.50.

69 (8)(a) For writing any paper that is a court record other
70 than a paper otherwise herein specifically mentioned in this
71 section, same as for copying, including signing and sealing:
72 7.00, from which the clerk shall remit 1.00 to the Department of
73 Revenue for deposit into the General Revenue Fund.

74 (b) For writing any paper that is not a court record other
75 than a paper otherwise specifically mentioned in this section,

76 | including signing and sealing: 7.00.

77 | (13) (a) Oath, administering, attesting, and sealing, ~~of~~
78 | court records not otherwise provided for herein: 3.50, from
79 | which the clerk shall remit 0.50 to the Department of Revenue
80 | for deposit into the General Revenue Fund.

81 | (b) Oath, administering, attesting, and sealing of non-
82 | court records not otherwise provided for herein: 3.50.

83 | (14) (a) For validating certificates, ~~or~~ or any authorized
84 | bonds that are court records, each: 3.50, from which the clerk
85 | shall remit 0.50 each to the Department of Revenue for deposit
86 | into the General Revenue Fund.

87 | (b) For validating certificates or any authorized bonds
88 | that are not court records, each: 3.50.

89 | (17) (a) For authenticated certificates, including the
90 | signing and sealing of court records: 7.00, from which the clerk
91 | shall remit 1.00 to the Department of Revenue for deposit into
92 | the General Revenue Fund.

93 | (b) For authenticated certificates, including the signing
94 | and sealing of noncourt records: 7.00.

95 | (20) (a) For searching of court records, for each year's
96 | search: 2.00, from which the clerk shall remit 0.50 for each
97 | year's search to the Department of Revenue for deposit into the
98 | General Revenue Fund.

99 | (b) For searching of noncourt records, for each year's
100 | search: 2.00.

101 Section 3. Subsection (2) of section 28.241, Florida
 102 Statutes, is amended to read:

103 28.241 Filing fees for trial and appellate proceedings.—

104 (2) Upon the institution of any appellate proceeding from
 105 any lower court to the circuit court of any such county,
 106 including appeals filed by a county or municipality as provided
 107 in s. 34.041(5), or from the county or circuit court to an
 108 appellate court of the state, the clerk shall charge and collect
 109 from the party or parties instituting such appellate proceedings
 110 a filing fee, as follows: ~~not to exceed \$280, from which the~~
 111 ~~clerk shall remit \$20 to the Department of Revenue for deposit~~
 112 ~~into the General Revenue Fund,~~

113 (a) For filing a notice of appeal from the county court to
 114 the circuit court, a filing fee not to exceed \$280. ~~and, In~~
 115 ~~addition to the filing fee required under s. 25.241 or s. 35.22,~~
 116 ~~\$100~~

117 (b) For filing a notice of appeal from the county or
 118 circuit court to the district court of appeal or to the Supreme
 119 Court, in addition to the filing fee required under s. 25.241 or
 120 s. 35.22, a filing fee not to exceed \$100, of which the clerk
 121 shall remit \$20 to the Department of Revenue for deposit into
 122 the General Revenue Fund.

123
 124 If the party is determined to be indigent, the clerk shall defer
 125 payment of the fee otherwise required by this subsection.

126 Section 4. Subsection (7) of section 28.222, Florida
 127 Statutes, is amended to read:

128 28.222 Clerk to be county recorder.—

129 (7) (a) All instruments recorded in the Official Records
 130 shall always be open to the public, under the supervision of the
 131 clerk, for the purpose of inspection thereof and of making
 132 extracts therefrom. ~~;~~ ~~but~~

133 (b) The clerk shall not be required to perform any service
 134 in connection with such inspection or making of extracts without
 135 payment of service charges as provided in s. 28.24.

136 (c) The payment of the service charges under s. 28.24 must
 137 be retained by the clerk of the circuit court in his or her
 138 capacity as county recorder, except that service charges under
 139 s. 28.24 relating to court records or functions meeting the
 140 description of court-related functions in s. 28.35(3)(a), must
 141 be distributed for the specified functions.

142 Section 5. This act shall take effect July 1, 2020.