

1 A bill to be entitled
2 An act relating to clerks of the circuit court;
3 amending s. 28.246, F.S.; clarifying the
4 responsibility of an individual released from
5 incarceration regarding enrolling in a payment plan
6 for any outstanding court obligations; modifying the
7 manner of calculating a monthly payment amount under a
8 payment plan; requiring the clerk to establish all
9 terms of a payment plan; amending s. 28.35, F.S.;
10 modifying duties of the Florida Clerks of Court
11 Operations Corporation with respect to the funding of
12 clerks' offices; conforming a cross-reference;
13 amending s. 28.36, F.S.; conforming a cross-reference;
14 requiring the corporation to establish and manage a
15 contingency reserve within the Clerks of the Court
16 Trust Fund for specified purposes; prescribing
17 reporting requirements; specifying circumstances under
18 which moneys held in reserve may be used; prescribing
19 procedures for the release of such funds; revising
20 circumstances under which the corporation may modify
21 previously authorized budgets for clerks; amending s.
22 28.37, F.S.; modifying a provision regarding state
23 court system funding; defining terms; revising
24 provisions governing the transfer of certain funds
25 from the Clerks of the Court Trust Fund to the General

26 Revenue Fund by the Department of Revenue; conforming
 27 a cross-reference; amending s. 28.42, F.S.; requiring
 28 the clerks to develop a uniform payment plan form by a
 29 specified date; prescribing requirements for the form;
 30 requiring the clerks to use such form by a specified
 31 date; amending ss. 318.15, 318.20, and 322.245, F.S.;

32 requiring orders and notifications for certain traffic
 33 citations and suspensions to include information
 34 regarding payment plans; amending s. 775.083, F.S.;

35 designating the clerk as the entity responsible for
 36 collecting payment of certain court obligations;
 37 requiring a person ordered to pay such obligations to
 38 contact the clerk in order to pay or establish a
 39 payment plan, unless otherwise provided; providing an
 40 effective date.

41

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

43

44 Section 1. Subsection (4) of section 28.246, Florida
 45 Statutes, is amended to read:

46 28.246 Payment of court-related fines or other monetary
 47 penalties, fees, service charges, and court costs; partial
 48 payments; distribution of funds.—

49 (4) (a) ~~The~~ clerk of the circuit court shall accept
 50 partial payments for each case type for court-related fees,

51 service charges, court costs, and fines in accordance with the
52 terms of an established payment plan developed by the clerk.

53 (b) An individual seeking to defer payment of court-
54 related fees, service charges, court costs, or fines imposed by
55 operation of law or order of the court under any provision of
56 general law shall apply to the clerk for enrollment in a payment
57 plan. The clerk shall enter into a payment plan with an
58 individual who the court determines is indigent for costs. It is
59 the responsibility of an individual who is released from
60 incarceration and has outstanding court obligations to contact
61 the clerk within 30 days after release to pay court-related
62 fees, service charges, court costs, and fines in full, or to
63 apply for enrollment in a payment plan. A monthly payment
64 amount, calculated based upon all fees and all anticipated
65 court-related fees, service charges, court costs, and fines, is
66 presumed to correspond to the person's ability to pay if the
67 amount does not exceed 2 percent of the person's annual net
68 income, as defined in s. 27.52(1), divided by 12. The clerk
69 shall establish all terms of a payment plan and the court may
70 review the reasonableness of the payment plan.

71 Section 2. Paragraph (f) of subsection (2) and paragraph
72 (a) of subsection (3) of section 28.35, Florida Statutes, are
73 amended, and paragraphs (i) and (j) are added to subsection (2)
74 of that section, to read:

75 28.35 Florida Clerks of Court Operations Corporation.—

76 (2) The duties of the corporation shall include the
 77 following:

78 (f) Approving the proposed budgets submitted by clerks of
 79 the court pursuant to s. 28.36. The corporation must ensure that
 80 the total combined budgets of the clerks of the court do not
 81 exceed the total estimated revenues from court-related fees,
 82 service charges, court costs, and fines for court-related
 83 functions available for court-related expenditures as determined
 84 by the most recent Revenue Estimating Conference, plus the total
 85 of unspent budgeted funds for court-related functions carried
 86 forward by the clerks of the court from the previous county
 87 fiscal year, ~~and~~ plus the balance of funds remaining in the
 88 Clerks of the Court Trust Fund after the transfer of funds to
 89 the General Revenue Fund required pursuant to s. 28.37(4) (b),
 90 and plus any appropriations for court-related functions ~~or~~
 91 ~~28.37(3) (b)~~. The corporation may amend any individual clerk of
 92 the court budget to ensure compliance with this paragraph and
 93 must consider performance measures, workload performance
 94 standards, workload measures, and expense data before modifying
 95 the budget. As part of this process, the corporation shall:

- 96 1. Calculate the minimum amount of revenue necessary for
 97 each clerk of the court to efficiently perform the list of
 98 court-related functions specified in paragraph (3) (a). The
 99 corporation shall apply the workload measures appropriate for
 100 determining the individual level of review required to fund the

101 clerk's budget.

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

106 3. Conduct an annual base budget review and an annual
107 budget exercise examining the total budget of each clerk of the
108 court. The review shall examine revenues from all sources,
109 expenses of court-related functions, and expenses of noncourt-
110 related functions as necessary to determine that court-related
111 revenues are not being used for noncourt-related purposes. The
112 review and exercise shall identify potential targeted budget
113 reductions in the percentage amount provided in Schedule VIII-B
114 of the state's previous year's legislative budget instructions,
115 as referenced in s. 216.023(3), or an equivalent schedule or
116 instruction as may be adopted by the Legislature.

117 4. Identify those proposed budgets containing funding for
118 items not included on the standard list of court-related
119 functions specified in paragraph (3) (a).

120 5. Identify those clerks projected to have court-related
121 revenues insufficient to fund their anticipated court-related
122 expenditures.

123 6. Use revenue estimates based on the official estimate
124 for funds from court-related fees, service charges, court costs,
125 and fines for court-related functions accruing to the clerks of

126 the court made by the Revenue Estimating Conference, as well as
127 any unspent budgeted funds for court-related functions carried
128 forward by the clerks of the court from the previous county
129 fiscal year and the balance of funds remaining in the Clerks of
130 the Court Trust Fund after the transfer of funds to the General
131 Revenue Fund required pursuant to s. 28.37(4)(b), plus any
132 appropriations for the purpose of funding court-related
133 functions s. 28.37(3)(b).

134 7. Identify pay and benefit increases in any proposed
135 clerk budget, including, but not limited to, cost of living
136 increases, merit increases, and bonuses.

137 8. Identify increases in anticipated expenditures in any
138 clerk budget that exceeds the current year budget by more than 3
139 percent.

140 9. Identify the budget of any clerk which exceeds the
141 average budget of similarly situated clerks by more than 10
142 percent.

143 10. Request the Governor to order, pursuant to s.
144 215.18(1), a temporary transfer of moneys from unobligated funds
145 in the State Treasury to the Clerks of the Court Trust Fund in
146 the Department of Revenue to meet temporary deficiencies in that
147 fund.

148 11. Determine if the estimated revenue available for the
149 upcoming county fiscal year is adequate to fund court-related
150 functions, and certify and submit any aggregate difference to

151 the chairs of the legislative appropriations committees and the
152 Executive Office of the Governor for consideration, at least 30
153 days before the start of the next regular session of the
154 Legislature.

155
156 For the purposes of this paragraph, the term "unspent budgeted
157 funds for court-related functions" means undisbursed funds
158 included in the clerks of the courts budgets for court-related
159 functions established pursuant to this section and s. 28.36.

160 (i) If the corporation determines that the cumulative
161 budget for all clerks will vary by more than 5 percent from the
162 approved cumulative budget for the previous year, certify to the
163 Legislature the specific causes for the variance and how each
164 variance relates to the clerks' responsibilities in performing
165 their court-related functions.

166 (j) Prepare and submit legislative budget requests to the
167 Legislature, consistent with the requirements of s. 216.023.
168 Such requests must be submitted for any fiscal year for which
169 the corporation determines that new duties or financial
170 obligations under s. 28.36(5), beyond those funded in prior
171 fiscal years, have been imposed on the court-related functions
172 of clerks of the court; and for any fiscal year for which the
173 corporation determines that the total estimated revenues
174 available for court-related expenditures as determined by the
175 most recent Revenue Estimating Conference, unspent revenues

176 carried forward from the previous fiscal year, and budget
177 amendments and appropriations made by law for the purpose of
178 funding court-related functions will be inadequate to provide
179 funding for court-related functions of clerks of the court at
180 the current level of operations.

181 (3) (a) The list of court-related functions that clerks may
182 fund from court-related ~~filing~~ fees, service charges, court
183 costs, and fines is limited to those functions expressly
184 authorized by law or court rule. Those functions include the
185 following: case maintenance; records management; court
186 preparation and attendance; processing the assignment,
187 reopening, and reassignment of cases; processing of appeals;
188 collection and distribution of fines, court-related fees,
189 service charges, and court costs; processing of bond forfeiture
190 payments; data collection and reporting; determinations of
191 indigent status; and paying reasonable administrative support
192 costs to enable the clerk of the court to carry out these court-
193 related functions.

194 Section 3. Subsection (3) of section 28.36, Florida
195 Statutes, is renumbered as subsection (4), a new subsection (3)
196 is added to that section, and subsection (1), paragraph (b) of
197 subsection (2), and present subsection (4) of that section are
198 amended, to read:

199 28.36 Budget procedure.—There is established a budget
200 procedure for the court-related functions of the clerks of the

201 court.

202 (1) Only those functions listed in s. 28.35(3)(a) may be
203 funded from court-related fees, service charges, court costs,
204 and fines retained by the clerks of the court.

205 (2) Each proposed budget shall further conform to the
206 following requirements:

207 (b) The proposed budget must be balanced such that the
208 total of the estimated revenues available equals or exceeds the
209 total of the anticipated expenditures. Such revenues include
210 revenue projected to be received from court-related fees,
211 service charges, costs, and fines for court-related functions
212 during the fiscal period covered by the budget, plus the total
213 of unspent budgeted funds for court-related functions carried
214 forward by the clerk of the court from the previous county
215 fiscal year and plus the portion of the balance of funds
216 remaining in the Clerks of the Court Trust Fund after the
217 transfer of funds to the General Revenue Fund required pursuant
218 to s. 28.37(4)(b) ~~s. 28.37(3)(b)~~ which has been allocated to
219 each respective clerk of the court by the Florida Clerks of
220 Court Operations Corporation. For the purposes of this
221 paragraph, the term "unspent budgeted funds for court-related
222 functions" means undisbursed funds included in the clerk of the
223 courts' budget for court-related ~~court-related~~ functions
224 established pursuant to s. 28.35 and this section. The
225 anticipated expenditures must be itemized as required by the

226 corporation.

227 (3) (a) The Florida Clerks of Court Operations Corporation
228 shall establish and manage a reserve for contingencies within
229 the Clerks of the Court Trust Fund which must consist of an
230 amount not to exceed 16 percent of the total budget authority
231 for the clerks of court during the current county fiscal year,
232 to be carried forward at the end of the fiscal year. Funds to be
233 held in reserve include transfers of any cumulative excess, as
234 provided in s. 28.37(4) (b), from the Clerks of the Court Trust
235 Fund and may also include revenues provided by law or moneys
236 appropriated by the Legislature.

237 (b) The corporation shall provide a reporting of the
238 balance and use of these funds during each county fiscal year as
239 part of the corporation's annual report submitted under s.
240 28.35(2) (h).

241 (c) The corporation may use these funds to ensure the
242 clerks of court can perform the court-related functions as
243 provided in s. 28.35(3) (a). Moneys in the Clerks of the Court
244 Trust Fund which are held in reserve may be used by the
245 corporation under the following circumstances:

246 1. To offset a deficit between the revenue available and
247 the original budget authority. A deficit is deemed to occur when
248 the revenue available to the clerks of court falls below the
249 original revenue projection for that county fiscal year.

250 2. To provide funding for an emergency, as defined in s.

251 252.34(4). The emergency must have been declared by the
252 Governor, pursuant to s. 252.36, or otherwise declared by law.

253 3. To provide funds in the development of the total
254 aggregate budget of the clerks of court and to ensure that a
255 minimum continuation budget is met if, after the corporation has
256 notified the Legislature of a deficit under s. 28.35(2)(f)11.,
257 there remains a deficit between the total revenues available and
258 the total budget from the previous county fiscal year.

259 (d) The corporation shall request a budget amendment and
260 the Executive Office of the Governor may approve the release of
261 funds in accordance with the notice, review, and objection
262 procedures set forth in s. 216.177, and the office shall provide
263 notice of the action to the Department of Revenue and the Chief
264 Financial Officer.

265 (5)(4) The corporation may approve increases or decreases
266 to the previously authorized budgets approved for ~~individual~~
267 clerks of the court pursuant to s. 28.35 for court-related
268 functions, if:

269 (a) The additional budget authority is necessary to pay
270 the cost of performing new or additional functions required by
271 changes in law or court rule, by an impact resulting from
272 financial obligations imposed on court-related functions by a
273 county or by administrative order of a circuit court or the
274 Supreme Court, or by order of a federal or state court; or

275 (b) The additional budget authority is necessary to pay

276 the cost of supporting increases in the number of judges or
277 magistrates authorized by the Legislature, or for increases in
278 the use of hearing officers and senior judges assigned by the
279 courts.

280 Section 4. Section 28.37, Florida Statutes, is amended to
281 read:

282 28.37 Fines, court-related fees, service charges, and
283 court costs remitted to the state.—

284 (1) Pursuant to s. 14(b), Art. V of the State
285 Constitution, selected salaries, costs, and expenses of the
286 state courts system and court-related functions shall be funded
287 from a portion of the revenues derived from statutory fines,
288 court-related fees, service charges, and court costs collected
289 by the clerks of the court, and from adequate and appropriate
290 supplemental funding from state revenues as appropriated by the
291 Legislature.

292 (2) As used in this section, the term:

293 (a) "Cumulative excess" means revenues derived from court-
294 related fees, service charges, court costs, and fines collected
295 by the clerks of the court which are greater than the original
296 revenue projection.

297 (b) "Original revenue projection" means the official
298 estimate, as determined by the Revenue Estimating Conference, of
299 revenues from fines, court-related fees, service charges, and
300 court costs available for court-related functions for the county

301 fiscal year covered by the projection.

302 (3) The Beginning November 1, 2013, that portion of all
 303 fines, court-related fees, service charges, and court costs
 304 collected by the clerks of the court for the previous month
 305 which is in excess of one-twelfth of the clerks' total budget
 306 for the performance of court-related functions must ~~shall~~ be
 307 remitted to the Department of Revenue for deposit into the
 308 Clerks of the Court Trust Fund. Such collections do not include
 309 funding received for the operation of the Title IV-D child
 310 support collections and disbursement program. The clerk of the
 311 court shall remit the revenues collected during the previous
 312 month due to the state on or before the 10th day of each month.

313 (4) (a) ~~(3) (a)~~ Each year, no later than January 25, for the
 314 previous county fiscal year, the clerks of court, in
 315 consultation with the Florida Clerks of Court Operations
 316 Corporation, shall remit to the Department of Revenue for
 317 deposit in the Clerks of the Court Trust Fund the cumulative
 318 excess of all fines, court-related fees, service charges, and
 319 court costs retained by the clerks of the court, plus any funds
 320 received by the clerks of the court from the Clerks of the Court
 321 Trust Fund under s. 28.36(4) ~~s. 28.36(3)~~, which exceed the
 322 amount needed to meet their authorized budget amounts
 323 established under s. 28.35.

324 (b) No later than February 1, 2022, and each February 1
 325 thereafter, the Department of Revenue shall transfer 50 percent

326 of the cumulative excess of the original revenue projection from
327 the Clerks of the Court Trust Fund to the General Revenue Fund.
328 The remaining 50 percent in the Clerks of the Court Trust Fund
329 may be used in the development of the total combined budgets of
330 the clerks of the court as provided in s. 28.35(2)(f)6. However,
331 a minimum of 10 percent of the clerk-retained portion of the
332 cumulative excess amount must be held in reserve until such
333 funds reach an amount equal to at least 16 percent of the total
334 budget authority from the current county fiscal year, as
335 provided in s. 28.36(3)(a) 1. ~~No later than February 1, 2020,~~
336 ~~the Department of Revenue shall transfer from the Clerks of the~~
337 ~~Court Trust Fund to the General Revenue Fund the sum of the~~
338 ~~cumulative excess of all fines, fees, service charges, and costs~~
339 ~~submitted by the clerks of court pursuant to subsection (2) and~~
340 ~~the cumulative excess of all fines, fees, service charges, and~~
341 ~~costs remitted by the clerks of court pursuant to paragraph (a)~~
342 ~~in excess of \$10 million.~~

343 ~~2. No later than February 1, 2021, the Department of~~
344 ~~Revenue shall transfer from the Clerks of the Court Trust Fund~~
345 ~~to the General Revenue Fund not less than 50 percent of the sum~~
346 ~~of the cumulative excess of all fines, fees, service charges,~~
347 ~~and costs submitted by the clerks of court pursuant to~~
348 ~~subsection (2) and the cumulative excess of all fines, fees,~~
349 ~~service charges, and costs remitted by the clerks of court~~
350 ~~pursuant to paragraph (a); provided however, the balance~~

351 ~~remaining in the Clerks of Courts Trust Fund after such transfer~~
352 ~~may not be more than \$20 million.~~

353 ~~3. No later than February 1, 2022, the Department of~~
354 ~~Revenue shall transfer from the Clerks of the Court Trust Fund~~
355 ~~to the General Revenue Fund not less than 50 percent of the sum~~
356 ~~of the cumulative excess of all fines, fees, service charges,~~
357 ~~and costs submitted by the clerks of court pursuant to~~
358 ~~subsection (2) and the cumulative excess of all fines, fees,~~
359 ~~service charges, and costs remitted by the clerks of court~~
360 ~~pursuant to paragraph (a); provided however, the balance~~
361 ~~remaining in the Clerks of Courts Trust Fund after such transfer~~
362 ~~may not be more than \$20 million.~~

363 ~~4. No later than February 1, 2023, and each February 1~~
364 ~~thereafter, the Department of Revenue shall transfer from the~~
365 ~~Clerks of the Court Trust Fund to the General Revenue Fund the~~
366 ~~cumulative excess of all fines, fees, service charges, and costs~~
367 ~~submitted by the clerks of court pursuant to subsection (2) and~~
368 ~~the cumulative excess of all fines, fees, service charges, and~~
369 ~~costs remitted by the clerks of court pursuant to paragraph (a).~~

370 (5)~~(4)~~ The Department of Revenue shall collect any funds
371 that the Florida Clerks of Court Operations Corporation
372 determines upon investigation were due but not remitted to the
373 Department of Revenue. The corporation shall notify the clerk of
374 the court and the Department of Revenue of the amount due to the
375 Department of Revenue. The clerk of the court shall remit the

376 amount due no later than the 10th day of the month following the
 377 month in which notice is provided by the corporation to the
 378 clerk of the court.

379 (6)~~(5)~~ Ten percent of all court-related fines collected by
 380 the clerk, except for penalties or fines distributed to counties
 381 or municipalities under s. 316.0083(1)(b)3. or s. 318.18(15)(a),
 382 must ~~shall~~ be deposited into the fine and forfeiture fund to be
 383 used exclusively for clerk court-related functions, as provided
 384 in s. 28.35(3)(a).

385 Section 5. Section 28.42, Florida Statutes, is amended to
 386 read:

387 28.42 Manual of filing fees, charges, costs, and fines;
 388 payment plan form.—

389 (1) The clerks of court, through their association and in
 390 consultation with the Office of the State Courts Administrator,
 391 shall prepare and disseminate a manual of filing fees, service
 392 charges, costs, and fines imposed pursuant to state law, for
 393 each type of action and offense, and classified as mandatory or
 394 discretionary. The manual also shall classify the fee, charge,
 395 cost, or fine as court-related revenue or noncourt-related
 396 revenue. The clerks, through their association, shall
 397 disseminate this manual to the chief judge, state attorney,
 398 public defender, and court administrator in each circuit and to
 399 the clerk of the court in each county. The clerks, through their
 400 association and in consultation with the Office of the State

401 Courts Administrator, shall at a minimum update and disseminate
402 this manual on July 1 of each year.

403 (2) By October 1, 2021, the clerks of court, through the
404 Florida Clerks of Court Operations Corporation, shall develop a
405 uniform payment plan form for use by persons seeking to
406 establish a payment plan in accordance with s. 28.246(4). The
407 form must inform the person of the minimum payment due each
408 month, the term of the plan, acceptable payment methods, and the
409 circumstances under which a case may be sent to collections for
410 nonpayment.

411 (3) By January 1, 2022, each clerk of court shall use the
412 uniform payment plan form developed pursuant to subsection (2)
413 when establishing payment plans.

414 Section 6. Paragraph (a) of subsection (1) of section
415 318.15, Florida Statutes, is amended to read:

416 318.15 Failure to comply with civil penalty or to appear;
417 penalty.—

418 (1) (a) If a person fails to comply with the civil
419 penalties provided in s. 318.18 within the time period specified
420 in s. 318.14(4), fails to enter into or comply with the terms of
421 a penalty payment plan with the clerk of the court in accordance
422 with ss. 318.14 and 28.246, fails to attend driver improvement
423 school, or fails to appear at a scheduled hearing, the clerk of
424 the court must ~~shall~~ notify the Department of Highway Safety and
425 Motor Vehicles of such failure within 10 days after such

426 failure. Upon receipt of such notice, the department must ~~shall~~
 427 immediately issue an order suspending the driver license and
 428 privilege to drive of such person effective 20 days after the
 429 date the order of suspension is mailed in accordance with s.
 430 322.251(1), (2), and (6). The order must also inform the person
 431 that he or she may contact the clerk of the court to establish a
 432 payment plan pursuant to s. 28.246(4) to make partial payments
 433 for fines, court-related fees, service charges, and court costs.
 434 Any such suspension of the driving privilege which has not been
 435 reinstated, including a similar suspension imposed outside of
 436 this state Florida, must ~~shall~~ remain on the records of the
 437 department for a period of 7 years from the date imposed and
 438 must ~~shall~~ be removed from the records after the expiration of 7
 439 years from the date it is imposed. The department may not accept
 440 the resubmission of such suspension.

441 Section 7. Section 318.20, Florida Statutes, is amended to
 442 read:

443 318.20 Notification; duties of department.—The department
 444 shall prepare a notification form to be appended to, or
 445 incorporated as a part of, the Florida uniform traffic citation
 446 issued in accordance with s. 316.650. The notification form must
 447 ~~shall~~ contain language informing persons charged with
 448 infractions to which this chapter applies of the procedures
 449 available to them under this chapter. Such notification form
 450 must ~~shall~~ contain a statement that, if the official determines

451 that no infraction has been committed, no costs or penalties may
 452 ~~shall~~ be imposed and any costs or penalties that ~~which~~ have been
 453 paid will ~~shall~~ be returned. Additionally, the notification form
 454 must include information on paying the civil penalty to the
 455 clerk of the court and the ability to establish a payment plan
 456 pursuant to s. 28.246(4). A uniform traffic citation that is
 457 produced electronically must also include the information
 458 required by this section.

459 Section 8. Subsections (1) and (3) and paragraph (a) of
 460 subsection (5) of section 322.245, Florida Statutes, are amended
 461 to read:

462 322.245 Suspension of license upon failure of person
 463 charged with specified offense under chapter 316, chapter 320,
 464 or this chapter to comply with directives ordered by traffic
 465 court or upon failure to pay child support in non-IV-D cases as
 466 provided in chapter 61 or failure to pay any financial
 467 obligation in any other criminal case.-

468 (1) If a person charged with a violation of any of the
 469 criminal offenses enumerated in s. 318.17 or with the commission
 470 of any offense constituting a misdemeanor under chapter 320 or
 471 this chapter fails to comply with all of the directives of the
 472 court within the time allotted by the court, the clerk of the
 473 ~~traffic~~ court must provide ~~shall mail to~~ the person, either
 474 electronically or by mail sent to ~~at~~ the address specified on
 475 the uniform traffic citation, a notice of such failure,

476 notifying him or her that, if he or she does not comply with the
477 directives of the court within 30 days after the date of the
478 notice and pay a delinquency fee of up to \$25 to the clerk, from
479 which the clerk shall remit \$10 to the Department of Revenue for
480 deposit into the General Revenue Fund, his or her driver license
481 will be suspended. The notice must ~~shall~~ be sent ~~mailed~~ no later
482 than 5 days after such failure. The delinquency fee may be
483 retained by the office of the clerk to defray the operating
484 costs of the office.

485 (3) If the person fails to comply with the directives of
486 the court within the 30-day period, or, in non-IV-D cases, fails
487 to comply with the requirements of s. 61.13016 within the period
488 specified in that statute, the depository or the clerk of the
489 court must ~~shall~~ electronically notify the department of such
490 failure within 10 days. Upon electronic receipt of the notice,
491 the department shall immediately issue an order suspending the
492 person's driver license and privilege to drive effective 20 days
493 after the date the order of suspension is sent ~~mailed~~ in
494 accordance with s. 322.251(1), (2), and (6). The order of
495 suspension must also contain information specifying that the
496 person may contact the clerk of the court to establish a payment
497 plan pursuant to s. 28.246(4) to make partial payments for
498 finer, court-related fees, service charges, and court costs.

499 (5) (a) When the department receives notice from a clerk of
500 the court that a person licensed to operate a motor vehicle in

501 | this state under ~~the provisions of~~ this chapter has failed to
502 | pay financial obligations for any criminal offense other than
503 | those specified in subsection (1), in full or in part under a
504 | payment plan pursuant to s. 28.246(4), the department must ~~shall~~
505 | suspend the license of the person named in the notice. The
506 | department shall send an order of suspension in accordance with
507 | s. 322.251(1), (2), and (6), which must also contain information
508 | specifying that the person may contact the clerk of the court to
509 | establish a payment plan pursuant to s. 28.246(4) to make
510 | partial payments for fines, court-related fees, service charges,
511 | and court costs.

512 | Section 9. Subsection (3) of section 775.083, Florida
513 | Statutes, is renumbered as subsection (4), and a new subsection
514 | (3) is added to that section to read:

515 | 775.083 Fines.—

516 | (3) The clerk of the court of each county is responsible
517 | for collecting payment of fines, court-related fees, service
518 | charges, and court costs. Unless otherwise designated by the
519 | court, a person who has been ordered to pay court obligations
520 | under this section shall immediately contact the clerk to pay
521 | fines, court-related fees, service charges, and court costs in
522 | full, or to apply for enrollment in a payment plan, pursuant to
523 | s. 28.246(4).

524 | Section 10. This act shall take effect upon becoming a
525 | law.