

By Senator Wright

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1 A bill to be entitled
2 An act relating to court-related payment plans;
3 amending s. 28.246, F.S.; revising the calculation of
4 a monthly payment amount presumed to correspond to a
5 person's ability to pay court-related fees, service
6 charges, court costs, and fines under a payment plan;
7 authorizing a court to waive, modify, or convert
8 outstanding fees, service charges, court costs, or
9 fines to community service under certain
10 circumstances; providing an effective date.

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

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

16 28.246 Payment of court-related fines or other monetary
17 penalties, fees, charges, and costs; partial payments;
18 distribution of funds.—

19 (4) (a) Each clerk of the circuit court shall accept partial
20 payments for each case type for court-related fees, service
21 charges, court costs, and fines in accordance with the terms of
22 an established payment plan developed by the clerk.

23 (b) An individual seeking to defer payment of fees, service
24 charges, court costs, or fines imposed by operation of law or
25 order of the court under any provision of general law shall
26 apply to the clerk for enrollment in a payment plan. The clerk
27 shall enter into a payment plan with an individual who the court
28 determines is indigent for costs. It is the responsibility of an
29 individual who is released from incarceration and has

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30 outstanding court obligations to contact the clerk within 30
31 days after release to pay fees, service charges, court costs,
32 and fines in full, or to apply for enrollment in a payment plan.
33 A monthly payment amount, calculated based upon all fees and all
34 anticipated fees, service charges, court costs, and fines, is
35 presumed to correspond to the person's ability to pay if the
36 amount does not exceed 2 percent of the person's annual net
37 income, as defined in s. 27.52(1), divided by 12 or \$25,
38 whichever is greater. The clerk shall establish all terms of a
39 payment plan, and the court may review the reasonableness of the
40 payment plan and may, on its own motion or by petition, waive,
41 modify, or convert the outstanding fees, service charges, court
42 costs, or fines to community service if the court determines
43 that the individual is indigent or, due to compelling
44 circumstances, is unable to comply with the terms of the payment
45 plan.

46 Section 2. This act shall take effect July 1, 2022.