

By Senator Polsky

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1 A bill to be entitled
2 An act relating to court-ordered nonbinding
3 arbitration; amending s. 44.103, F.S.; deleting a
4 provision that limits the amount of per diem expenses
5 an arbitrator may charge when seeking compensation
6 from state funds; making technical changes; providing
7 an effective date.

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

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11 Section 1. Subsection (3) of section 44.103, Florida
12 Statutes, is amended to read:

13 44.103 Court-ordered, nonbinding arbitration.—

14 (3) Arbitrators must ~~shall~~ be selected and compensated in
15 accordance with rules adopted by the Supreme Court. Arbitrators
16 must ~~shall~~ be compensated by the parties, or, upon a finding by
17 the court that a party is indigent, ~~an arbitrator~~ may be
18 partially or fully compensated from state funds according to the
19 party's present ability to pay. Before ~~At no time may an~~
20 ~~arbitrator charge more than \$1,500 per diem, unless the parties~~
21 ~~agree otherwise. Prior to~~ approving the use of state funds to
22 reimburse an arbitrator, the court shall ~~must~~ ensure that the
23 party reimburses the portion of the total cost that the party is
24 immediately able to pay and that the party has agreed to a
25 payment plan established by the clerk of the court that will
26 fully reimburse the state for the balance of all state costs for
27 both the arbitrator and any costs of administering the payment
28 plan and any collection efforts that may be necessary in the
29 future. Whenever possible, qualified individuals who have

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30 volunteered their time to serve as arbitrators must ~~shall~~ be
31 appointed. If an arbitration program is funded pursuant to s.
32 44.108, volunteer arbitrators are ~~shall be~~ entitled to
33 reimbursement ~~be reimbursed~~ pursuant to s. 112.061 for all
34 actual expenses necessitated by service as an arbitrator.

35 Section 2. This act shall take effect July 1, 2024.