



366502

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/29/2024	.	
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The Committee on Judiciary (Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (b) of subsection (7) of section  
27.52, Florida Statutes, is amended to read:

27.52 Determination of indigent status.—

(7) FINANCIAL DISCREPANCIES; FRAUD; FALSE INFORMATION.—

(b) If the court has reason to believe that any applicant,  
through fraud or misrepresentation, was improperly determined to  
be indigent or indigent for costs, the matter shall be referred



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12 to the state attorney. Twenty-five percent of any amount  
13 recovered by the state attorney as reasonable value of the  
14 services rendered, including fees, charges, and costs paid by  
15 the state on the person's behalf, shall be remitted to the  
16 Department of Revenue for deposit into the Grants and Donations  
17 Trust Fund of the applicable state attorney ~~within the Justice~~  
18 ~~Administrative Commission~~. Seventy-five percent of any amount  
19 recovered shall be remitted to the Department of Revenue for  
20 deposit into the General Revenue Fund.

21 Section 2. Paragraph (c) of subsection (2) of section  
22 27.54, Florida Statutes, is amended to read:

23 27.54 Limitation on payment of expenditures other than by  
24 the state.—

25 (2) A county or municipality may contract with, or  
26 appropriate or contribute funds to, the operation of the offices  
27 of the various public defenders and regional counsels ~~counsel~~ as  
28 provided in this subsection. A public defender or regional  
29 counsel defending violations of special laws or county or  
30 municipal ordinances punishable by incarceration and not  
31 ancillary to a state charge shall contract with counties and  
32 municipalities to recover the full cost of services rendered on  
33 an hourly basis or reimburse the state for the full cost of  
34 assigning one or more full-time equivalent attorney positions to  
35 work on behalf of the county or municipality. Notwithstanding  
36 any other provision of law, in the case of a county with a  
37 population of less than 75,000, the public defender or regional  
38 counsel shall contract for full reimbursement, or for  
39 reimbursement as the parties otherwise agree. In local ordinance  
40 violation cases, the county or municipality shall pay for due



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41 process services that are approved by the court, including  
42 deposition costs, deposition transcript costs, investigative  
43 costs, witness fees, expert witness costs, and interpreter  
44 costs. The person charged with the violation shall be assessed a  
45 fee for the services of a public defender or regional counsel  
46 and other costs and fees paid by the county or municipality,  
47 which assessed fee may be reduced to a lien, in all instances in  
48 which the person enters a plea of guilty or no contest or is  
49 found to be in violation or guilty of any count or lesser  
50 included offense of the charge or companion case charges,  
51 regardless of adjudication. The court shall determine the amount  
52 of the obligation. The county or municipality may recover  
53 assessed fees through collections court or as otherwise  
54 permitted by law, and any fees recovered pursuant to this  
55 section shall be forwarded to the applicable county or  
56 municipality as reimbursement.

57 (c) Any payments received pursuant to this subsection shall  
58 be deposited into the Grants and Donations Trust Fund of within  
59 the applicable public defender or criminal conflict and civil  
60 regional counsel ~~Justice Administrative Commission~~ for  
61 appropriation by the Legislature.

62 Section 3. Subsection (2) of section 27.703, Florida  
63 Statutes, is amended to read:

64 27.703 Conflict of interest and substitute counsel.—

65 (2) Appointed counsel shall be paid from funds appropriated  
66 to the Justice Administrative Commission ~~Chief Financial~~  
67 ~~Officer~~. The hourly rate may not exceed \$100. However, all  
68 appointments of private counsel under this section shall be in  
69 accordance with ss. 27.710 and 27.711.



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70 Section 4. Paragraph (a) of subsection (1) of section  
71 28.241, Florida Statutes, is amended to read:

72 28.241 Filing fees for trial and appellate proceedings.—

73 (1) Filing fees are due at the time a party files a  
74 pleading to initiate a proceeding or files a pleading for  
75 relief. Reopen fees are due at the time a party files a pleading  
76 to reopen a proceeding if at least 90 days have elapsed since  
77 the filing of a final order or final judgment with the clerk. If  
78 a fee is not paid upon the filing of the pleading as required  
79 under this section, the clerk shall pursue collection of the fee  
80 pursuant to s. 28.246.

81 (a)1.a. Except as provided in sub-subparagraph b. and  
82 subparagraph 2., the party instituting any civil action, suit,  
83 or proceeding in the circuit court shall pay to the clerk of  
84 that court a filing fee of up to \$395 in all cases in which  
85 there are not more than five defendants and an additional filing  
86 fee of up to \$2.50, from which the clerk shall remit \$0.50 to  
87 the Department of Revenue for deposit into the General Revenue  
88 Fund, for each defendant in excess of five. Of the first \$200 in  
89 filing fees, \$195 must be remitted to the Department of Revenue  
90 for deposit into the State Courts Revenue Trust Fund, \$4 must be  
91 remitted to the Department of Revenue for deposit into the  
92 Administrative Trust Fund within the Department of Financial  
93 Services and used to fund the contract with the Florida Clerks  
94 of Court Operations Corporation created in s. 28.35, and \$1 must  
95 be remitted to the Department of Revenue for deposit into the  
96 Administrative Trust Fund within the Department of Financial  
97 Services to fund audits of individual clerks' court-related  
98 expenditures conducted by the Department of Financial Services.



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99           b. The party instituting any civil action, suit, or  
100 proceeding in the circuit court under chapter 39, chapter 61,  
101 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
102 753 shall pay to the clerk of that court a filing fee of up to  
103 \$295 in all cases in which there are not more than five  
104 defendants and an additional filing fee of up to \$2.50 for each  
105 defendant in excess of five. Of the first \$100 in filing fees,  
106 \$95 must be remitted to the Department of Revenue for deposit  
107 into the State Courts Revenue Trust Fund, \$4 must be remitted to  
108 the Department of Revenue for deposit into the Administrative  
109 Trust Fund within the Department of Financial Services and used  
110 to fund the contract with the Florida Clerks of Court Operations  
111 Corporation created in s. 28.35, and \$1 must be remitted to the  
112 Department of Revenue for deposit into the Administrative Trust  
113 Fund within the Department of Financial Services to fund audits  
114 of individual clerks' court-related expenditures conducted by  
115 the Department of Financial Services.

116           c. An additional filing fee of \$4 shall be paid to the  
117 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
118 for deposit into the Court Education Trust Fund and shall remit  
119 50 cents to the Department of Revenue for deposit into the  
120 Administrative Trust Fund within the Department of Financial  
121 Services to fund clerk education provided by the Florida Clerks  
122 of Court Operations Corporation. An additional filing fee of up  
123 to \$18 shall be paid by the party seeking each severance that is  
124 granted, from which the clerk shall remit \$3 to the Department  
125 of Revenue for deposit into the General Revenue Fund. The clerk  
126 may impose an additional filing fee of up to \$85, from which the  
127 clerk shall remit \$10 to the Department of Revenue for deposit



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128 into the General Revenue Fund, for all proceedings of  
129 garnishment, attachment, replevin, and distress. Postal charges  
130 incurred by the clerk of the circuit court in making service by  
131 certified or registered mail on defendants or other parties  
132 shall be paid by the party at whose instance service is made.  
133 Additional fees, charges, or costs may not be added to the  
134 filing fees imposed under this section, except as authorized in  
135 this section or by general law.

136 2.a. Notwithstanding the fees prescribed in subparagraph  
137 1., a party instituting a civil action in circuit court relating  
138 to real property or mortgage foreclosure shall pay a graduated  
139 filing fee based on the value of the claim.

140 b. A party shall estimate in writing the amount in  
141 controversy of the claim upon filing the action. For purposes of  
142 this subparagraph, the value of a mortgage foreclosure action is  
143 based upon the principal due on the note secured by the  
144 mortgage, plus interest owed on the note and any moneys advanced  
145 by the lender for property taxes, insurance, and other advances  
146 secured by the mortgage, at the time of filing the foreclosure.  
147 The value shall also include the value of any tax certificates  
148 related to the property. In stating the value of a mortgage  
149 foreclosure claim, a party shall declare in writing the total  
150 value of the claim, as well as the individual elements of the  
151 value as prescribed in this sub-subparagraph.

152 c. In its order providing for the final disposition of the  
153 matter, the court shall identify the actual value of the claim.  
154 The clerk shall adjust the filing fee if there is a difference  
155 between the estimated amount in controversy and the actual value  
156 of the claim and collect any additional filing fee owed or



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157 provide a refund of excess filing fee paid.

158 d. The party shall pay a filing fee of:

159 (I) Three hundred and ninety-five dollars in all cases in  
160 which the value of the claim is \$50,000 or less and in which  
161 there are not more than five defendants. The party shall pay an  
162 additional filing fee of up to \$2.50 for each defendant in  
163 excess of five. Of the first \$200 in filing fees, \$195 must be  
164 remitted by the clerk to the Department of Revenue for deposit  
165 into the General Revenue Fund, \$4 must be remitted to the  
166 Department of Revenue for deposit into the Administrative Trust  
167 Fund within the Department of Financial Services and used to  
168 fund the contract with the Florida Clerks of Court Operations  
169 Corporation created in s. 28.35, and \$1 must be remitted to the  
170 Department of Revenue for deposit into the Administrative Trust  
171 Fund within the Department of Financial Services to fund audits  
172 of individual clerks' court-related expenditures conducted by  
173 the Department of Financial Services;

174 (II) Nine hundred dollars in all cases in which the value  
175 of the claim is more than \$50,000 but less than \$250,000 and in  
176 which there are not more than five defendants. The party shall  
177 pay an additional filing fee of up to \$2.50 for each defendant  
178 in excess of five. Of the first \$355 in filing fees, \$350 must  
179 be remitted by the clerk to the Department of Revenue for  
180 deposit into the General Revenue Fund, \$4 must be remitted to  
181 the Department of Revenue for deposit into the Administrative  
182 Trust Fund within the Department of Financial Services and used  
183 to fund the contract with the Florida Clerks of Court Operations  
184 Corporation created in s. 28.35, and \$1 must be remitted to the  
185 Department of Revenue for deposit into the Administrative Trust



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186 Fund within the Department of Financial Services to fund audits  
187 of individual clerks' court-related expenditures conducted by  
188 the Department of Financial Services; or

189 (III) One thousand nine hundred dollars in all cases in  
190 which the value of the claim is \$250,000 or more and in which  
191 there are not more than five defendants. The party shall pay an  
192 additional filing fee of up to \$2.50 for each defendant in  
193 excess of five. Of the first \$1,240 ~~\$1,705~~ in filing fees, \$465  
194 ~~\$930~~ must be remitted by the clerk to the Department of Revenue  
195 for deposit into the General Revenue Fund, \$770 must be remitted  
196 to the Department of Revenue for deposit into the State Courts  
197 Revenue Trust Fund, \$4 must be remitted to the Department of  
198 Revenue for deposit into the Administrative Trust Fund within  
199 the Department of Financial Services to fund the contract with  
200 the Florida Clerks of Court Operations Corporation created in s.  
201 28.35, and \$1 must be remitted to the Department of Revenue for  
202 deposit into the Administrative Trust Fund within the Department  
203 of Financial Services to fund audits of individual clerks'  
204 court-related expenditures conducted by the Department of  
205 Financial Services.

206 e. An additional filing fee of \$4 shall be paid to the  
207 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
208 for deposit into the Court Education Trust Fund and shall remit  
209 50 cents to the Department of Revenue for deposit into the  
210 Administrative Trust Fund within the Department of Financial  
211 Services to fund clerk education provided by the Florida Clerks  
212 of Court Operations Corporation. An additional filing fee of up  
213 to \$18 shall be paid by the party seeking each severance that is  
214 granted. The clerk may impose an additional filing fee of up to





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215 \$85 for all proceedings of garnishment, attachment, replevin,  
216 and distress. Postal charges incurred by the clerk of the  
217 circuit court in making service by certified or registered mail  
218 on defendants or other parties shall be paid by the party at  
219 whose instance service is made. Additional fees, charges, or  
220 costs may not be added to the filing fees imposed under this  
221 section, except as authorized in this section or by general law.

222 Section 5. Paragraph (i) of subsection (2) and paragraph  
223 (a) of subsection (3) of section 28.35, Florida Statutes, are  
224 amended, and paragraph (j) is added to subsection (2) of that  
225 section, to read:

226 28.35 Florida Clerks of Court Operations Corporation.—

227 (2) The duties of the corporation shall include the  
228 following:

229 (i) Annually preparing a budget request which,  
230 notwithstanding the provisions of chapter 216 and in accordance  
231 with s. 216.351, provides the anticipated amount necessary for  
232 reimbursement pursuant to s. 40.29(6) and (7). The request for  
233 the anticipated reimbursement amount shall be submitted in the  
234 form and manner prescribed by the Justice Administrative  
235 Commission. Such request is not subject to change by the Justice  
236 Administrative Commission, except for technical changes  
237 necessary to conform to the legislative budget instructions, and  
238 shall be submitted to the Governor for transmittal to the  
239 Legislature.

240 (j) Annually preparing a budget request that,  
241 notwithstanding the provisions of chapter 216 and in accordance  
242 with s. 216.351, provides the anticipated amount necessary to  
243 fund increases in employer contribution rates pursuant to ss.



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244 121.71 and 121.72 for court-related employees participating in  
245 the Florida Retirement System. The request for the anticipated  
246 appropriation must be submitted in the form and manner  
247 prescribed by the Justice Administrative Commission. The budget  
248 request may not be changed by the Justice Administrative  
249 Commission, except for technical changes necessary to conform to  
250 the legislative budget instructions, and must be submitted to  
251 the Governor for transmittal to the Legislature.

252 (3) (a) The list of court-related functions that clerks may  
253 fund from filing fees, service charges, court costs, and fines  
254 is limited to those functions expressly authorized by law or  
255 court rule. Those functions include the following: case  
256 maintenance; records management; court preparation and  
257 attendance; processing the assignment, reopening, and  
258 reassignment of cases; processing of appeals; collection and  
259 distribution of fines, fees, service charges, and court costs;  
260 processing of bond forfeiture payments; data collection and  
261 reporting; determinations of indigent status; improving court  
262 technology; and paying reasonable administrative support costs  
263 to enable the clerk of the court to carry out these court-  
264 related functions.

265 Section 6. Paragraph (b) subsection (4) of section 28.37,  
266 Florida Statutes, is amended to read:

267 28.37 Fines, fees, service charges, and costs remitted to  
268 the state.—

269 (4)

270 (b) No later than February 1 annually, 2022, and each  
271 February 1 thereafter, the Florida Clerks of Court Operations  
272 Corporation must calculate ~~Department of Revenue shall transfer~~



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273 ~~50 percent of the cumulative excess, which of the original~~  
274 ~~revenue projection from the Clerks of the Court Trust Fund to~~  
275 ~~the General Revenue Fund. The remaining 50 percent in the Clerks~~  
276 ~~of the Court Trust Fund may be used in the development of the~~  
277 ~~total combined budgets of the clerks of the court as provided in~~  
278 ~~s. 28.35(2)(f)6. However, A minimum of 10 percent of the clerk-~~  
279 ~~retained portion of the cumulative excess amount must be held in~~  
280 ~~reserve until such funds reach an amount equal to at least 16~~  
281 ~~percent of the total budget authority from the current county~~  
282 ~~fiscal year, as provided in s. 28.36(3)(a).~~

283 Section 7. Paragraphs (c) and (d) of subsection (1) of  
284 section 34.041, Florida Statutes, are amended to read:

285 34.041 Filing fees.—

286 (1)

287 (c) A party in addition to a party described in paragraph  
288 (a) who files a pleading in an original civil action in the  
289 county court for affirmative relief by cross-claim,  
290 counterclaim, counterpetition, or third-party complaint, or who  
291 files a notice of cross-appeal or notice of joinder or motion to  
292 intervene as an appellant, cross-appellant, or petitioner, shall  
293 pay the clerk of court a fee of \$295 if the relief sought by the  
294 party under this paragraph exceeds \$2,500 but is not more than  
295 \$15,000 and \$395 if the relief sought by the party under this  
296 paragraph exceeds \$15,000. The clerk shall deposit ~~remit~~ the fee  
297 if the relief sought by the party under this paragraph exceeds  
298 \$2,500 but is not more than \$15,000 ~~to the Department of Revenue~~  
299 ~~for deposit~~ into the fine and forfeiture fund established  
300 pursuant to s. 142.01 ~~General Revenue Fund~~. This fee does not  
301 apply if the cross-claim, counterclaim, counterpetition, or



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302 third-party complaint requires transfer of the case from county  
303 to circuit court. However, the party shall pay to the clerk the  
304 standard filing fee for the court to which the case is to be  
305 transferred.

306 (d) The clerk of court shall collect a service charge of  
307 \$10 for issuing a summons or an electronic certified copy of a  
308 summons, which the clerk shall deposit into the fine and  
309 forfeiture fund established pursuant to s. 142.01 ~~remit to the~~  
310 ~~Department of Revenue for deposit into the General Revenue Fund.~~  
311 The clerk shall assess the fee against the party seeking to have  
312 the summons issued.

313 Section 8. Subsection (6) of section 40.29, Florida  
314 Statutes, is amended, and subsections (7) and (8) are added to  
315 that section, to read:

316 40.29 Payment of due-process costs; reimbursement for  
317 petitions, and orders, and waived civil filing fees for  
318 indigency; payment of Florida Retirement System costs for court-  
319 related employees.-

320 (6) Subject to legislative appropriation, the Florida  
321 Clerks of Court Operations Corporation ~~clerk of the circuit~~  
322 ~~court~~ may, on behalf of the clerks of the circuit court, on a  
323 quarterly basis, submit to the Justice Administrative Commission  
324 a certified request for reimbursement for petitions and orders  
325 filed under ss. 394.459, 394.463, 394.467, 394.917, and  
326 397.6814, at the rate of \$40 per petition or order and for  
327 orders filed under ss. 741.30, 784.046, and 784.0485, the  
328 Florida Clerks of Court Operations Corporation may, on a  
329 quarterly basis, submit a request for reimbursement at the rate  
330 of \$195 per petition. From this reimbursement, the clerk of the



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331 court receiving reimbursement must pay any law enforcement  
332 agency serving injunctions a fee not to exceed \$40 per  
333 injunction, if so requested by the law enforcement agency. Such  
334 request for reimbursement shall be submitted in the form and  
335 manner prescribed by the Justice Administrative Commission  
336 pursuant to s. 28.35(2)(i).

337 (7) Subject to legislative appropriation, the Florida  
338 Clerks of Court Operations Corporation may, on a quarterly  
339 basis, submit to the Justice Administrative Commission a  
340 certified request for reimbursement for approved applications  
341 for civil indigency under s. 57.082, in which the civil filing  
342 fee has been waived, at the rate of \$195 per approved  
343 application. The request for reimbursement shall be submitted in  
344 the form and manner prescribed by the Justice Administrative  
345 Commission pursuant to s. 28.35(2)(i).

346 (8) Subject to legislative appropriation, the Florida  
347 Clerks of Court Operations Corporation must submit to the  
348 Justice Administrative Commission a certified amount by county  
349 of the employer contribution rate increases for the Florida  
350 Retirement System for court-related employees.

351 Section 9. Paragraph (b) of subsection (7) of section  
352 57.082, Florida Statutes, is amended to read:

353 57.082 Determination of civil indigent status.—

354 (7) FINANCIAL DISCREPANCIES; FRAUD; FALSE INFORMATION.—

355 (b) If the court has reason to believe that any applicant,  
356 through fraud or misrepresentation, was improperly determined to  
357 be indigent, the matter shall be referred to the state attorney.  
358 Twenty-five percent of any amount recovered by the state  
359 attorney as reasonable value of the services rendered, including



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360 fees, charges, and costs paid by the state on the person's  
361 behalf, shall be remitted to the Department of Revenue for  
362 deposit into the Grants and Donations Trust Fund of ~~within~~ the  
363 applicable state attorney ~~Justice Administrative Commission~~.  
364 Seventy-five percent of any amount recovered shall be remitted  
365 to the Department of Revenue for deposit into the General  
366 Revenue Fund.

367 Section 10. Paragraph (d) of subsection (4) of section  
368 110.112, Florida Statutes, is amended to read:

369 110.112 Affirmative action; equal employment opportunity.-

370 (4) Each state attorney and public defender shall:

371 ~~(d) Report annually to the Justice Administrative~~  
372 ~~Commission on the implementation, continuance, updating, and~~  
373 ~~results of his or her affirmative action program for the~~  
374 ~~previous fiscal year.~~

375 Section 11. Subsection (6) of section 186.003, Florida  
376 Statutes, is amended to read:

377 186.003 Definitions; ss. 186.001-186.031, 186.801-186.901.-  
378 As used in ss. 186.001-186.031 and 186.801-186.901, the term:

379 (6) "State agency" or "agency" means any official, officer,  
380 commission, board, authority, council, committee, or department  
381 of the executive branch of state government. For purposes of  
382 this chapter, "state agency" or "agency" includes ~~state~~  
383 ~~attorneys, public defenders, the capital collateral regional~~  
384 ~~counsel, the Justice Administrative Commission, and the Public~~  
385 Service Commission.

386 Section 12. Paragraph (a) of subsection (8) and subsection  
387 (18) of section 318.18, Florida Statutes, are amended to read:

388 318.18 Amount of penalties.-The penalties required for a



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389 noncriminal disposition pursuant to s. 318.14 or a criminal  
390 offense listed in s. 318.17 are as follows:

391 (8) (a) Any person who fails to comply with the court's  
392 requirements or who fails to pay the civil penalties specified  
393 in this section within the 30-day period provided for in s.  
394 318.14 must pay an additional civil penalty of \$16, \$1.50 ~~\$6.50~~  
395 of which must be remitted to the Department of Revenue for  
396 deposit in the General Revenue Fund, ~~and~~ \$9.50 of which must be  
397 remitted to the Department of Revenue for deposit in the Highway  
398 Safety Operating Trust Fund, and \$5 of which shall be retained  
399 by the clerk of the court to be deposited in the Public Records  
400 Modernization Trust Fund and used exclusively for funding court-  
401 related technology needs of the clerk, as defined in s.  
402 29.008(1)(f)2. and (h). ~~Of this additional civil penalty of \$16,~~  
403 ~~\$4 is not revenue for purposes of s. 28.36 and may not be used~~  
404 ~~in establishing the budget of the clerk of the court under that~~  
405 ~~section or s. 28.35.~~ The department shall contract with the  
406 Florida Association of Court Clerks, Inc., to design, establish,  
407 operate, upgrade, and maintain an automated statewide Uniform  
408 Traffic Citation Accounting System to be operated by the clerks  
409 of the court which shall include, but not be limited to, the  
410 accounting for traffic infractions by type, a record of the  
411 disposition of the citations, and an accounting system for the  
412 fines assessed and the subsequent fine amounts paid to the  
413 clerks of the court. The clerks of the court must provide the  
414 information required by this chapter to be transmitted to the  
415 department by electronic transmission pursuant to the contract.

416 (18) In addition to any penalties imposed, an  
417 administrative fee of \$12.50 must be paid for all noncriminal



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418 moving and nonmoving violations under chapters 316, 320, and  
419 322. Of this administrative fee, \$6.25 must be deposited into  
420 the Public Records Modernization Trust Fund and used exclusively  
421 for funding court-related technology needs of the clerk, as  
422 defined in s. 29.008(1)(f)2. and (h), and \$6.25 must be  
423 deposited into the fine and forfeiture fund established pursuant  
424 to s. 142.01 ~~The clerk shall remit the administrative fee to the~~  
425 ~~Department of Revenue for deposit into the General Revenue Fund.~~

426 Section 13. Section 322.76, Florida Statutes, is created to  
427 read:

428 322.76 Miami-Dade County Clerk of the Court Driver License  
429 Reinstatement Pilot Program.—There is created in Miami-Dade  
430 County the Clerk of the Court Driver License Reinstatement Pilot  
431 Program.

432 (1) As used in this section, the term "clerk" means the  
433 clerk of the circuit court for Miami-Dade County.

434 (2) Notwithstanding any other provision to the contrary in  
435 this chapter, the clerk may reinstate or provide an affidavit to  
436 the department to reinstate a suspended driver license:

437 (a) For a person who failed to fulfill a court-ordered  
438 child support obligation.

439 (b) As a result of the end of suspension because of points,  
440 under s. 322.27, notwithstanding the person receiving a hardship  
441 waiver.

442 (c) For a person who failed to comply with any provision of  
443 chapter 318 or this chapter.

444 (3) Notwithstanding s. 322.29(1), an examination is not  
445 required for the reinstatement of a driver license suspended  
446 under s. 318.15 or s. 322.245 unless an examination is otherwise





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447 required by this chapter. A person applying for the  
448 reinstatement of a driver license suspended under s. 318.15 or  
449 s. 322.245 must present to the clerk certification from the  
450 court that he or she has either complied with all obligations  
451 and penalties imposed pursuant to s. 318.15 or with all  
452 directives of the court and the requirements of s. 322.245.

453 (4) A nonrefundable service fee must be paid pursuant to s.  
454 322.29(2).

455 (5) Before July 1, 2024, the department shall work with the  
456 clerk, through the clerk's association, to ensure the ability  
457 within its technology system for the clerk to reinstate  
458 suspended driver licenses under the pilot program, to begin on  
459 July 1, 2024.

460 (6) By December 31, 2025, the clerk must submit to the  
461 Governor, the President of the Senate, the Speaker of the House  
462 of Representatives, and the executive director of the Florida  
463 Clerks of Court Operations Corporation a report containing the  
464 following information:

465 (a) Number of driver license reinstatements.

466 (b) Amount of fees and costs collected, including the  
467 aggregate funds received by the clerk, local governmental  
468 entities, and state entities, including the General Revenue  
469 Fund.

470 (c) The personnel, operating, and other expenditures  
471 incurred by the clerk.

472 (d) Feedback received from the community, if any, in  
473 response to the clerk's participation in the pilot program.

474 (e) Whether the pilot program led to improved timeliness  
475 for the reinstatement of driver licenses.



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476 (f) The clerk's recommendation as to whether the pilot  
477 program should be extended in Miami-Dade County or expanded to  
478 other clerks' offices.

479 (g) Any other information the clerk deems necessary.

480 (7) This section expires on July 1, 2026.

481 Section 14. Subsection (1) of section 501.2101, Florida  
482 Statutes, is amended to read:

483 501.2101 Enforcing authorities; moneys received in certain  
484 proceedings.—

485 (1) Any moneys received by an enforcing authority for  
486 attorney ~~attorney's~~ fees and costs of investigation or  
487 litigation in proceedings brought under the provisions of s.  
488 501.207, s. 501.208, or s. 501.211 shall be deposited as  
489 received in the Legal Affairs Revolving Trust Fund if the action  
490 is brought by the Department of Legal Affairs, and in the Grants  
491 and Donations ~~Consumer Frauds~~ Trust Fund of a state attorney ~~the~~  
492 ~~Justice Administrative Commission~~ if the action is brought by  
493 the ~~a~~ state attorney.

494 Section 15. Paragraph (a) of subsection (2) of section  
495 741.30, Florida Statutes, is amended to read:

496 741.30 Domestic violence; injunction; powers and duties of  
497 court and clerk; petition; notice and hearing; temporary  
498 injunction; issuance of injunction; statewide verification  
499 system; enforcement; public records exemption.—

500 (2) (a) Notwithstanding any other law, the assessment of a  
501 filing fee for a petition for protection against domestic  
502 violence is prohibited. ~~However, subject to legislative~~  
503 ~~appropriation, the clerk of the circuit court may, on a~~  
504 ~~quarterly basis, submit to the Office of the State Courts~~



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505 ~~Administrator a certified request for reimbursement for~~  
506 ~~petitions for protection against domestic violence issued by the~~  
507 ~~court, at the rate of \$40 per petition. The request for~~  
508 ~~reimbursement must be submitted in the form and manner~~  
509 ~~prescribed by the Office of the State Courts Administrator. From~~  
510 ~~this reimbursement, the clerk shall pay any law enforcement~~  
511 ~~agency serving the injunction the fee requested by the law~~  
512 ~~enforcement agency; however, this fee may not exceed \$20.~~

513 Section 16. Paragraph (b) of subsection (3) of section  
514 784.046, Florida Statutes, is amended to read:

515 784.046 Action by victim of repeat violence, sexual  
516 violence, or dating violence for protective injunction; dating  
517 violence investigations, notice to victims, and reporting;  
518 pretrial release violations; public records exemption.—

519 (3) (b) Notwithstanding any other law, the clerk of the  
520 court may not assess a fee for filing a petition for protection  
521 against repeat violence, sexual violence, or dating violence.  
522 ~~However, subject to legislative appropriation, the clerk of the~~  
523 ~~court may, each quarter, submit to the Office of the State~~  
524 ~~Courts Administrator a certified request for reimbursement for~~  
525 ~~petitions for protection issued by the court under this section~~  
526 ~~at the rate of \$40 per petition. The request for reimbursement~~  
527 ~~shall be submitted in the form and manner prescribed by the~~  
528 ~~Office of the State Courts Administrator. From this~~  
529 ~~reimbursement, the clerk shall pay the law enforcement agency~~  
530 ~~serving the injunction the fee requested by the law enforcement~~  
531 ~~agency; however, this fee may not exceed \$20.~~

532 Section 17. Paragraph (a) of subsection (2) of section  
533 784.0485, Florida Statutes, is amended to read:



534 784.0485 Stalking; injunction; powers and duties of court  
535 and clerk; petition; notice and hearing; temporary injunction;  
536 issuance of injunction; statewide verification system;  
537 enforcement.-

538 (2) (a) Notwithstanding any other law, the clerk of court  
539 may not assess a filing fee to file a petition for protection  
540 against stalking. ~~However, subject to legislative appropriation,~~  
541 ~~the clerk of the circuit court may, on a quarterly basis, submit~~  
542 ~~to the Office of the State Courts Administrator a certified~~  
543 ~~request for reimbursement for petitions for protection against~~  
544 ~~stalking issued by the court, at the rate of \$40 per petition.~~  
545 ~~The request for reimbursement shall be submitted in the form and~~  
546 ~~manner prescribed by the Office of the State Courts~~  
547 ~~Administrator. From this reimbursement, the clerk shall pay any~~  
548 ~~law enforcement agency serving the injunction the fee requested~~  
549 ~~by the law enforcement agency; however, this fee may not exceed~~  
550 ~~\$20.~~

551 Section 18. This act shall take effect upon becoming a law.

552  
553 ===== T I T L E A M E N D M E N T =====

554 And the title is amended as follows:

555 Delete everything before the enacting clause  
556 and insert:

557 A bill to be entitled  
558 An act relating to clerks of the court; amending s.  
559 27.52, F.S.; revising the fund into which moneys  
560 recovered by certain state attorneys must be  
561 deposited; amending s. 27.54, F.S.; revising the fund  
562 into which certain payments received must be deposited



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563 as related to public defenders or regional counsels;  
564 making technical changes; amending s. 27.703, F.S.;  
565 revising the entity that funds the capital collateral  
566 regional counsel; amending s. 28.241 F.S.; revising  
567 the allocation of filing fees for certain trial and  
568 appellate proceedings; amending s. 28.35, F.S.;  
569 providing additional duties of the Florida Clerks of  
570 Court Operations Corporation related to budget  
571 requests; revising the functions that clerks of the  
572 court may fund using certain fees and fines; amending  
573 s. 28.37, F.S.; requiring the Florida Clerks of Court  
574 Operations Corporation to calculate certain excesses  
575 collected from fines, fees, service charges, and costs  
576 annually by a date certain; amending s. 34.041, F.S.;  
577 revising the fund into which certain filing fees are  
578 to be deposited; amending s. 40.29, F.S.; authorizing  
579 the Florida Clerks of Court Operations Corporation to  
580 submit requests for reimbursement at a specified rate  
581 for petitions related to certain sexual violence  
582 offenses; requiring clerks of the court who receive  
583 the reimbursement to pay the law enforcement agency  
584 serving injunctions a specified fee if requested;  
585 authorizing the corporation to submit reimbursement  
586 requests for approved applications for civil indigency  
587 in which the filing fee was waived; authorizing the  
588 corporation to submit to the Justice Administrative  
589 Commission a certain amount related to Florida  
590 Retirement System contribution rate increases for  
591 court-related employees; amending s. 57.082, F.S.;



592 conforming provisions to changes made by the act;  
593 amending s. 110.112, F.S.; deleting a provision  
594 requiring each state attorney to publish an annual  
595 report addressing results of his or her affirmative  
596 action program; amending s. 186.003, F.S.; revising  
597 the definition of "state agency"; amending s. 318.18,  
598 F.S.; revising the distribution of certain civil  
599 penalty amounts and administrative fees; creating s.  
600 322.76, F.S.; creating the Clerk of the Court Driver  
601 License Reinstatement Pilot Program in Miami-Dade  
602 County; defining the term "clerk"; authorizing the  
603 clerk of the circuit court for Miami-Dade County to  
604 reinstate or provide an affidavit to the Department of  
605 Highway Safety and Motor Vehicles to reinstate certain  
606 suspended driver licenses; establishing requirements  
607 for the clerk under the program to be performed by a  
608 date certain; providing for expiration of the program;  
609 amending s. 501.2101, F.S.; revising the funds into  
610 which certain moneys received by state attorneys must  
611 be deposited; amending s. 741.30, F.S.; deleting a  
612 provision authorizing certain clerks of circuit courts  
613 to request reimbursement for certain petitions related  
614 to domestic violence; amending s. 784.046, F.S.;  
615 deleting a provision authorizing the clerk of circuit  
616 court, under specific circumstances, to request  
617 reimbursement for certain petitions related to repeat,  
618 sexual, or dating violence; amending s. 784.0485,  
619 F.S.; deleting a provision authorizing clerks of the  
620 circuit court, under specific circumstances, to



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621 request reimbursement for certain petitions related to  
622 stalking; providing an effective date.