

By Senator Hutson

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1                   A bill to be entitled  
2           An act relating to clerks of the circuit court;  
3           amending s. 27.52, F.S.; requiring that a specified  
4           percentage of amounts recovered by the state attorney  
5           be remitted to the Department of Revenue to be  
6           deposited into the Grants and Donations Trust Fund of  
7           the applicable state attorney; amending s. 27.54,  
8           F.S.; requiring that specified payments be deposited  
9           into the Grants and Donations Trust Fund of the  
10          applicable public defender or criminal conflict and  
11          civil regional counsel; amending s. 27.703, F.S.;  
12          requiring that specified appointed counsels be paid  
13          from funds appropriated to the Justice Administrative  
14          Commission; amending s. 28.241, F.S.; revising the  
15          portions of certain filing fees the clerk must remit  
16          to the Department of Revenue for deposit into various  
17          funds; amending s. 28.35, F.S.; requiring the Florida  
18          Clerks of Court Operations Corporation to annually  
19          prepare a budget request to fund increases in employer  
20          contributions to the Florida Retirement System;  
21          requiring that the request conform to the form and  
22          manner prescribed by the Justice Administrative  
23          Commission; authorizing the commission to make  
24          technical changes under specified circumstances;  
25          requiring that the request be submitted to the  
26          Governor for transmittal to the Legislature; revising  
27          the list of court-related functions that clerks may  
28          fund from filing fees to include improving court  
29          technology; conforming provisions to changes made by

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30 the act; making technical changes; amending s. 28.37,  
31 F.S.; requiring the Florida Clerks of Court Operations  
32 Corporation to calculate annually, by a specified  
33 date, the cumulative excess that may be used to  
34 develop the combined budgets; requiring that a  
35 specified percentage be held in reserve until a  
36 certain condition is satisfied; amending s. 40.29,  
37 F.S.; authorizing the corporation to submit, on a  
38 quarterly basis, to the Justice Administrative  
39 Commission certified requests for reimbursements of  
40 specified filing fees; specifying the rate of  
41 reimbursement per petition; requiring the corporation  
42 to pay law enforcement agencies that serve injunctions  
43 related to such petitions a specified amount;  
44 authorizing the corporation to submit, on a quarterly  
45 basis, to the commission certified requests for  
46 reimbursement for applications for civil indigent  
47 status; specifying the rate of reimbursement per  
48 petition; requiring that the request for reimbursement  
49 be in a specified form and manner; requiring the  
50 corporation to submit certified requests for the  
51 amounts required by the Florida Retirement System to  
52 fund the employer contribution rate increases; making  
53 technical changes; amending s. 57.082, F.S.; requiring  
54 that a specified percentage of amounts recovered by  
55 the state attorney be remitted to the Department of  
56 Revenue to be deposited into the state attorney's  
57 Grants and Donations Trust Fund; making technical  
58 changes; amending s. 110.112, F.S.; deleting a

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59 provision requiring the Justice Administrative  
60 Commission to annually report on the implementation,  
61 continuance, updating, and results of an affirmative  
62 action program; amending s. 186.003, F.S.; revising  
63 the definition of the terms "state agency" or  
64 "agency"; amending s. 318.18, F.S.; revising the  
65 distribution of a specified civil penalty; requiring  
66 the clerk of the court to retain a specified portion  
67 for deposit into the Public Records Modernization  
68 Trust Fund; requiring that such funds be used for a  
69 specified purpose; requiring that a portion of a  
70 specified administrative fee be deposited into the  
71 Public Records Modernization Trust Fund to be used for  
72 a specified purpose and another portion into a certain  
73 fine and forfeiture fund; making technical changes;  
74 amending s. 501.2101, F.S.; providing that, if a state  
75 attorney successfully brings certain actions for  
76 attorney fees and costs, the amounts recovered must be  
77 deposited in the Grants and Donations Trust Fund of  
78 such state attorney; making technical changes;  
79 amending ss. 741.30, 784.046, and 784.0485, F.S.;  
80 conforming provisions to changes made by the act;  
81 providing an effective date.

82  
83 Be It Enacted by the Legislature of the State of Florida:

84  
85 Section 1. Paragraph (b) of subsection (7) of section  
86 27.52, Florida Statutes, is amended to read:  
87 27.52 Determination of indigent status.—

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

89 (b) If the court has reason to believe that any applicant,  
90 through fraud or misrepresentation, was improperly determined to  
91 be indigent or indigent for costs, the matter must ~~shall~~ be  
92 referred to the state attorney. Twenty-five percent of any  
93 amount recovered by the state attorney as reasonable value of  
94 the services rendered, including fees, charges, and costs paid  
95 by the state on the person's behalf, shall be remitted to the  
96 Department of Revenue for deposit into the Grants and Donations  
97 Trust Fund of the applicable state attorney ~~within the Justice~~  
98 ~~Administrative Commission~~. Seventy-five percent of any amount  
99 recovered shall be remitted to the Department of Revenue for  
100 deposit into the General Revenue Fund.

101 Section 2. Paragraph (c) of subsection (2) of section  
102 27.54, Florida Statutes, is amended to read:

103 27.54 Limitation on payment of expenditures other than by  
104 the state.—

105 (2) A county or municipality may contract with, or  
106 appropriate or contribute funds to, the operation of the offices  
107 of the various public defenders and regional counsel as provided  
108 in this subsection. A public defender or regional counsel  
109 defending violations of special laws or county or municipal  
110 ordinances punishable by incarceration and not ancillary to a  
111 state charge shall contract with counties and municipalities to  
112 recover the full cost of services rendered on an hourly basis or  
113 reimburse the state for the full cost of assigning one or more  
114 full-time equivalent attorney positions to work on behalf of the  
115 county or municipality. Notwithstanding any other provision of  
116 law, in the case of a county with a population of less than

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117 75,000, the public defender or regional counsel shall contract  
 118 for full reimbursement, or for reimbursement as the parties  
 119 otherwise agree. In local ordinance violation cases, the county  
 120 or municipality shall pay for due process services that are  
 121 approved by the court, including deposition costs, deposition  
 122 transcript costs, investigative costs, witness fees, expert  
 123 witness costs, and interpreter costs. The person charged with  
 124 the violation shall be assessed a fee for the services of a  
 125 public defender or regional counsel and other costs and fees  
 126 paid by the county or municipality, which assessed fee may be  
 127 reduced to a lien, in all instances in which the person enters a  
 128 plea of guilty or no contest or is found to be in violation or  
 129 guilty of any count or lesser included offense of the charge or  
 130 companion case charges, regardless of adjudication. The court  
 131 shall determine the amount of the obligation. The county or  
 132 municipality may recover assessed fees through collections court  
 133 or as otherwise permitted by law, and any fees recovered  
 134 pursuant to this section shall be forwarded to the applicable  
 135 county or municipality as reimbursement.

136 (c) Any payments received pursuant to this subsection shall  
 137 be deposited into the Grants and Donations Trust Fund within the  
 138 applicable public defender or criminal conflict and civil  
 139 regional counsel ~~Justice Administrative Commission~~ for  
 140 appropriation by the Legislature.

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

143 27.703 Conflict of interest and substitute counsel.—

144 (2) Appointed counsel must ~~shall~~ be paid from funds  
 145 appropriated to the Justice Administrative Commission ~~Chief~~

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146 ~~Financial Officer~~. The hourly rate may not exceed \$100. However,  
147 all appointments of private counsel under this section must  
148 ~~shall~~ be in accordance with ss. 27.710 and 27.711.

149 Section 4. Paragraph (a) of subsection (1) of section  
150 28.241, Florida Statutes, is amended to read:

151 28.241 Filing fees for trial and appellate proceedings.—

152 (1) Filing fees are due at the time a party files a  
153 pleading to initiate a proceeding or files a pleading for  
154 relief. Reopen fees are due at the time a party files a pleading  
155 to reopen a proceeding if at least 90 days have elapsed since  
156 the filing of a final order or final judgment with the clerk. If  
157 a fee is not paid upon the filing of the pleading as required  
158 under this section, the clerk shall pursue collection of the fee  
159 pursuant to s. 28.246.

160 (a)1.a. Except as provided in sub-subparagraph b. and  
161 subparagraph 2., the party instituting any civil action, suit,  
162 or proceeding in the circuit court shall pay to the clerk of  
163 that court a filing fee of up to \$395 in all cases in which  
164 there are not more than five defendants and an additional filing  
165 fee of up to \$2.50, from which the clerk shall remit \$0.50 to  
166 the Department of Revenue for deposit into the General Revenue  
167 Fund, for each defendant in excess of five. Of the first \$200 in  
168 filing fees, \$195 must be remitted to the Department of Revenue  
169 for deposit into the State Courts Revenue Trust Fund, \$4 must be  
170 remitted to the Department of Revenue for deposit into the  
171 Administrative Trust Fund within the Department of Financial  
172 Services and used to fund the contract with the Florida Clerks  
173 of Court Operations Corporation created in s. 28.35, and \$1 must  
174 be remitted to the Department of Revenue for deposit into the

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175 Administrative Trust Fund within the Department of Financial  
176 Services to fund audits of individual clerks' court-related  
177 expenditures conducted by the Department of Financial Services.

178       b. The party instituting any civil action, suit, or  
179 proceeding in the circuit court under chapter 39, chapter 61,  
180 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
181 753 shall pay to the clerk of that court a filing fee of up to  
182 \$295 in all cases in which there are not more than five  
183 defendants and an additional filing fee of up to \$2.50 for each  
184 defendant in excess of five. Of the first \$100 in filing fees,  
185 \$95 must be remitted to the Department of Revenue for deposit  
186 into the State Courts Revenue Trust Fund, \$4 must be remitted to  
187 the Department of Revenue for deposit into the Administrative  
188 Trust Fund within the Department of Financial Services and used  
189 to fund the contract with the Florida Clerks of Court Operations  
190 Corporation created in s. 28.35, and \$1 must be remitted to the  
191 Department of Revenue for deposit into the Administrative Trust  
192 Fund within the Department of Financial Services to fund audits  
193 of individual clerks' court-related expenditures conducted by  
194 the Department of Financial Services.

195       c. An additional filing fee of \$4 shall be paid to the  
196 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
197 for deposit into the Court Education Trust Fund and shall remit  
198 50 cents to the Department of Revenue for deposit into the  
199 Administrative Trust Fund within the Department of Financial  
200 Services to fund clerk education provided by the Florida Clerks  
201 of Court Operations Corporation. An additional filing fee of up  
202 to \$18 shall be paid by the party seeking each severance that is  
203 granted, from which the clerk shall remit \$3 to the Department

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204 of Revenue for deposit into the General Revenue Fund. The clerk  
205 may impose an additional filing fee of up to \$85, from which the  
206 clerk shall remit \$10 to the Department of Revenue for deposit  
207 into the General Revenue Fund, for all proceedings of  
208 garnishment, attachment, replevin, and distress. Postal charges  
209 incurred by the clerk of the circuit court in making service by  
210 certified or registered mail on defendants or other parties  
211 shall be paid by the party at whose instance service is made.  
212 Additional fees, charges, or costs may not be added to the  
213 filing fees imposed under this section, except as authorized in  
214 this section or by general law.

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

219 b. A party shall estimate in writing the amount in  
220 controversy of the claim upon filing the action. For purposes of  
221 this subparagraph, the value of a mortgage foreclosure action is  
222 based upon the principal due on the note secured by the  
223 mortgage, plus interest owed on the note and any moneys advanced  
224 by the lender for property taxes, insurance, and other advances  
225 secured by the mortgage, at the time of filing the foreclosure.  
226 The value shall also include the value of any tax certificates  
227 related to the property. In stating the value of a mortgage  
228 foreclosure claim, a party shall declare in writing the total  
229 value of the claim, as well as the individual elements of the  
230 value as prescribed in this sub-subparagraph.

231 c. In its order providing for the final disposition of the  
232 matter, the court shall identify the actual value of the claim.



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233 The clerk shall adjust the filing fee if there is a difference  
234 between the estimated amount in controversy and the actual value  
235 of the claim and collect any additional filing fee owed or  
236 provide a refund of excess filing fee paid.

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

238 (I) Three hundred and ninety-five dollars in all cases in  
239 which the value of the claim is \$50,000 or less and in which  
240 there are not more than five defendants. The party shall pay an  
241 additional filing fee of up to \$2.50 for each defendant in  
242 excess of five. Of the first \$200 in filing fees, \$195 must be  
243 remitted by the clerk to the Department of Revenue for deposit  
244 into the General Revenue Fund, \$4 must be remitted to the  
245 Department of Revenue for deposit into the Administrative Trust  
246 Fund within the Department of Financial Services and used to  
247 fund the contract with the Florida Clerks of Court Operations  
248 Corporation created in s. 28.35, and \$1 must be remitted to the  
249 Department of Revenue for deposit into the Administrative Trust  
250 Fund within the Department of Financial Services to fund audits  
251 of individual clerks' court-related expenditures conducted by  
252 the Department of Financial Services;

253 (II) Nine hundred dollars in all cases in which the value  
254 of the claim is more than \$50,000 but less than \$250,000 and in  
255 which there are not more than five defendants. The party shall  
256 pay an additional filing fee of up to \$2.50 for each defendant  
257 in excess of five. Of the first \$355 in filing fees, \$350 must  
258 be remitted by the clerk to the Department of Revenue for  
259 deposit into the General Revenue Fund, \$4 must be remitted to  
260 the Department of Revenue for deposit into the Administrative  
261 Trust Fund within the Department of Financial Services and used

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262 to fund the contract with the Florida Clerks of Court Operations  
263 Corporation created in s. 28.35, and \$1 must be remitted to the  
264 Department of Revenue for deposit into the Administrative Trust  
265 Fund within the Department of Financial Services to fund audits  
266 of individual clerks' court-related expenditures conducted by  
267 the Department of Financial Services; or

268 (III) One thousand nine hundred dollars in all cases in  
269 which the value of the claim is \$250,000 or more and in which  
270 there are not more than five defendants. The party shall pay an  
271 additional filing fee of up to \$2.50 for each defendant in  
272 excess of five. Of the first \$1,240 ~~\$1,705~~ in filing fees, \$465  
273 ~~\$930~~ must be remitted by the clerk to the Department of Revenue  
274 for deposit into the General Revenue Fund, \$770 must be remitted  
275 to the Department of Revenue for deposit into the State Courts  
276 Revenue Trust Fund, \$4 must be remitted to the Department of  
277 Revenue for deposit into the Administrative Trust Fund within  
278 the Department of Financial Services to fund the contract with  
279 the Florida Clerks of Court Operations Corporation created in s.  
280 28.35, and \$1 must be remitted to the Department of Revenue for  
281 deposit into the Administrative Trust Fund within the Department  
282 of Financial Services to fund audits of individual clerks'  
283 court-related expenditures conducted by the Department of  
284 Financial Services.

285 e. An additional filing fee of \$4 shall be paid to the  
286 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
287 for deposit into the Court Education Trust Fund and shall remit  
288 50 cents to the Department of Revenue for deposit into the  
289 Administrative Trust Fund within the Department of Financial  
290 Services to fund clerk education provided by the Florida Clerks

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291 of Court Operations Corporation. An additional filing fee of up  
292 to \$18 shall be paid by the party seeking each severance that is  
293 granted. The clerk may impose an additional filing fee of up to  
294 \$85 for all proceedings of garnishment, attachment, replevin,  
295 and distress. Postal charges incurred by the clerk of the  
296 circuit court in making service by certified or registered mail  
297 on defendants or other parties shall be paid by the party at  
298 whose instance service is made. Additional fees, charges, or  
299 costs may not be added to the filing fees imposed under this  
300 section, except as authorized in this section or by general law.

301 Section 5. Paragraph (i) of subsection (2) and paragraph  
302 (a) of subsection (3) of section 28.35, Florida Statutes, are  
303 amended, and paragraph (j) is added to subsection (2) of that  
304 section, to read:

305 28.35 Florida Clerks of Court Operations Corporation.—

306 (2) The duties of the corporation shall include the  
307 following:

308 (i) Annually preparing a budget request that ~~which~~,  
309 notwithstanding the provisions of chapter 216 and in accordance  
310 with s. 216.351, provides the anticipated amount necessary for  
311 reimbursement pursuant to s. 40.29(6) and (7). The request for  
312 the anticipated reimbursement amount must ~~shall~~ be submitted in  
313 the form and manner prescribed by the Justice Administrative  
314 Commission. Such request is not subject to change by the Justice  
315 Administrative Commission, except for technical changes  
316 necessary to conform to the legislative budget instructions, and  
317 must ~~shall~~ be submitted to the Governor for transmittal to the  
318 Legislature.

319 (j) Annually preparing a budget request that,

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320 notwithstanding the provisions of chapter 216 and in accordance  
321 with s. 216.351, provides the anticipated amount necessary to  
322 fund increases in employer contribution rates pursuant to ss.  
323 121.71 and 121.72 for court-related employees participating in  
324 the Florida Retirement System. The request for the anticipated  
325 appropriation must be submitted in the form and manner  
326 prescribed by the Justice Administrative Commission, except for  
327 technical changes necessary to conform to the legislative budget  
328 instructions, and must be submitted to the Governor for  
329 transmittal to the Legislature.

330 (3) (a) The list of court-related functions that clerks may  
331 fund from filing fees, service charges, court costs, and fines  
332 is limited to those functions expressly authorized by law or  
333 court rule. Those functions include the following: case  
334 maintenance; records management; court preparation and  
335 attendance; processing the assignment, reopening, and  
336 reassignment of cases; processing of appeals; collection and  
337 distribution of fines, fees, service charges, and court costs;  
338 processing of bond forfeiture payments; data collection and  
339 reporting; determinations of indigent status; improving court  
340 technology; and paying reasonable administrative support costs  
341 to enable the clerk of the court to carry out these court-  
342 related functions.

343 Section 6. Paragraph (b) of subsection (4) of section  
344 28.37, Florida Statutes, is amended to read:

345 28.37 Fines, fees, service charges, and costs remitted to  
346 the state.—

347 (4)

348 (b) Annually, no later than February 1, ~~2022, and each~~

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349 ~~February 1 thereafter,~~ the Florida Clerks of Court Operations  
350 Corporation shall calculate ~~Department of Revenue shall transfer~~  
351 ~~50 percent of the cumulative excess that of the original revenue~~  
352 ~~projection from the Clerks of the Court Trust Fund to the~~  
353 ~~General Revenue Fund. The remaining 50 percent in the Clerks of~~  
354 ~~the Court Trust Fund~~ may be used in the development of the total  
355 combined budgets of the clerks of the court as provided in s.  
356 28.35(2)(f)6. ~~However,~~ A minimum of 10 percent ~~of the clerk-~~  
357 ~~retained portion~~ of the cumulative excess amount must be held in  
358 reserve until such funds reach an amount equal to at least 16  
359 percent of the total budget authority from the current county  
360 fiscal year, as provided in s. 28.36(3)(a).

361 Section 7. Section 40.29, Florida Statutes, is amended to  
362 read:

363 40.29 Payment of due-process costs; reimbursement for  
364 petitions and orders; waived civil filing fees for indigency;  
365 payment of Florida Retirement System costs for court-related  
366 employees.—

367 (1) Each clerk of the circuit court, on behalf of the state  
368 attorney, private court-appointed counsel, the public defender,  
369 and the criminal conflict and civil regional counsel, shall  
370 forward to the Justice Administrative Commission, by county, a  
371 quarterly estimate of funds necessary to pay for ordinary  
372 witnesses, including, but not limited to, witnesses in civil  
373 traffic cases and witnesses of the state attorney, the public  
374 defender, criminal conflict and civil regional counsel, private  
375 court-appointed counsel, and persons determined to be indigent  
376 for costs. Each quarter of the state fiscal year, the  
377 commission, based upon the estimates, shall advance funds to

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378 each clerk to pay for these ordinary witnesses from state funds  
379 specifically appropriated for the payment of ordinary witnesses.

380 (2) Upon receipt of an estimate pursuant to subsection (1),  
381 the Justice Administrative Commission shall endorse the amount  
382 deemed necessary for payment by the clerk of the court during  
383 the quarterly fiscal period and shall submit a request for  
384 payment to the Chief Financial Officer.

385 (3) Upon receipt of the funds from the Chief Financial  
386 Officer, the clerk of the court shall pay all invoices approved  
387 and submitted by the state attorney, the public defender,  
388 criminal conflict and civil regional counsel, and private court-  
389 appointed counsel for the items enumerated in subsection (1).

390 (4) After review for compliance with applicable rates and  
391 requirements, the Justice Administrative Commission shall pay  
392 all due process service related invoices, except those  
393 enumerated in subsection (1), approved and submitted by the  
394 state attorney, the public defender, criminal conflict and civil  
395 regional counsel, or private court-appointed counsel in  
396 accordance with the applicable requirements of ss. 29.005-  
397 29.007.

398 (5) The Justice Administrative Commission shall reimburse  
399 funds to the clerks of the court to compensate jurors, to pay  
400 for meals or lodging provided to jurors, and to pay for jury-  
401 related personnel costs as provided in this section. Each clerk  
402 of the court shall ~~must~~ submit a request for reimbursement to  
403 the Florida Clerks of Court Operations Corporation within 20  
404 days after the end of each quarter attesting to the clerk's  
405 actual costs to compensate jurors, to pay for meals or lodging  
406 provided to jurors, and to pay for jury-related personnel costs.

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407 The Florida Clerks of Court Operations Corporation shall ~~must~~  
408 review the request for reimbursement to ensure that the costs  
409 are reasonably and directly related to jury management. The  
410 Florida Clerks of Court Operations Corporation shall ~~must~~  
411 forward to the Justice Administrative Commission the amount  
412 necessary to reimburse each clerk of the court for its personnel  
413 and other costs related to jury management unless the total  
414 request for reimbursement by the clerks exceeds the quarterly  
415 funds available to the Justice Administrative Commission, in  
416 which case the Florida Clerks of Court Operations Corporation  
417 must ~~shall~~ adjust the cumulative total to match the available  
418 funds before submitting the request to the Justice  
419 Administrative Commission. Upon receipt of each request for  
420 reimbursement, the Justice Administrative Commission must review  
421 the amount deemed necessary for payment to the clerks of the  
422 court for the most recently completed quarter, determine whether  
423 ~~if~~ the total payment amount is available, and submit a request  
424 for payment to the Chief Financial Officer. The clerks of the  
425 court are responsible for any compensation to jurors, for  
426 payments for meals or lodging provided to jurors, and for jury-  
427 related personnel costs that exceed the funding provided in the  
428 General Appropriations Act for these purposes.

429 (6) Subject to legislative appropriation, the Florida Clerk  
430 of Court Operations Corporation ~~clerk of the circuit court~~ may,  
431 on behalf of the clerks of the circuit court, on a quarterly  
432 basis, submit to the Justice Administrative Commission a  
433 certified request for reimbursement for petitions and orders  
434 filed under ss. 394.459, 394.463, 394.467, 394.917, and  
435 397.6814, at the rate of \$40 per petition or order, and for

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436 orders filed under ss. 741.30, 784.046, and 784.0485, the  
437 Florida Clerks of Court Operations Corporation may, on a  
438 quarterly basis, submit a request for reimbursement at the rate  
439 of \$195 per petition. From this reimbursement, the clerk of the  
440 court receiving reimbursement must pay any law enforcement  
441 agency serving the injunction a fee of up to, but not exceeding,  
442 \$40, if so requested by the law enforcement agency. Such request  
443 for reimbursement ~~must~~ shall be submitted in the form and manner  
444 prescribed by the Justice Administrative Commission pursuant to  
445 s. 28.35(2) (i).

446 (7) Subject to legislative appropriation, the Florida  
447 Clerks of Court Operations Corporation may, on a quarterly  
448 basis, submit to the Justice Administrative Commission a  
449 certified request for reimbursement for approved applications  
450 for civil indigent status pursuant to s. 57.082 in which the  
451 filing fee for civil indigent status has been waived, at the  
452 rate of \$195 per approved application. Such request for  
453 reimbursement must be submitted in the form and manner  
454 prescribed by the Justice Administrative Commission pursuant to  
455 s. 28.35(2) (i).

456 (8) Subject to legislative appropriation, the Florida  
457 Clerks of Court Operations Corporation shall submit to the  
458 Justice Administrative Commission a certified request for the  
459 amounts required by each county to fund the employer  
460 contribution rate increases required by the Florida Retirement  
461 System for any applicable court-related employees.

462 Section 8. Paragraph (b) of subsection (7) of section  
463 57.082, Florida Statutes, is amended to read:

464 57.082 Determination of civil indigent status.—



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

466 (b) If the court has reason to believe that any applicant,  
 467 through fraud or misrepresentation, was improperly determined to  
 468 be indigent, the matter must ~~shall~~ be referred to the state  
 469 attorney. Twenty-five percent of any amount recovered by the  
 470 state attorney as reasonable value of the services rendered,  
 471 including fees, charges, and costs paid by the state on the  
 472 person's behalf, must ~~shall~~ be remitted to the Department of  
 473 Revenue for deposit into the Grants and Donations Trust Fund of  
 474 ~~within~~ the applicable state attorney ~~Justice Administrative~~  
 475 ~~Commission~~. Seventy-five percent of any amount recovered must  
 476 ~~shall~~ be remitted to the Department of Revenue for deposit into  
 477 the General Revenue Fund.

478 Section 9. Paragraph (d) of subsection (4) of section  
 479 110.112, Florida Statutes, is amended to read:

480 110.112 Affirmative action; equal employment opportunity.—

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

482 ~~(d) Report annually to the Justice Administrative~~  
 483 ~~Commission on the implementation, continuance, updating, and~~  
 484 ~~results of his or her affirmative action program for the~~  
 485 ~~previous fiscal year.~~

486 Section 10. Subsection (6) of section 186.003, Florida  
 487 Statutes, is amended to read:

488 186.003 Definitions; ss. 186.001-186.031, 186.801-186.901.—  
 489 As used in ss. 186.001-186.031 and 186.801-186.901, the term:

490 (6) "State agency" or "agency" means any official, officer,  
 491 commission, board, authority, council, committee, or department  
 492 of the executive branch of state government. For purposes of  
 493 this chapter, these terms include ~~"state agency" or "agency"~~

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494 ~~includes state attorneys, public defenders, the capital~~  
495 ~~collateral regional counsel, the Justice Administrative~~  
496 ~~Commission, and the Public Service Commission.~~

497 Section 11. Paragraph (a) of subsection (8) and subsection  
498 (18) of section 318.18, Florida Statutes, are amended to read:

499 318.18 Amount of penalties.—The penalties required for a  
500 noncriminal disposition pursuant to s. 318.14 or a criminal  
501 offense listed in s. 318.17 are as follows:

502 (8) (a) Any person who fails to comply with the court's  
503 requirements or who fails to pay the civil penalties specified  
504 in this section within the 30-day period provided for in s.  
505 318.14 must pay an additional civil penalty of \$16, \$1.50 ~~\$6.50~~  
506 of which must be remitted to the Department of Revenue for  
507 deposit in the General Revenue Fund, ~~and~~ \$9.50 of which must be  
508 remitted to the Department of Revenue for deposit in the Highway  
509 Safety Operating Trust Fund, and \$5.00 of which must be retained  
510 by the clerk of the court to be deposited in the Public Records  
511 Modernization Trust Fund and used exclusively for funding court-  
512 related technology needs of the clerk, as described in s.  
513 29.008(1)(f)2. and (h). ~~Of this additional civil penalty of \$16,~~  
514 ~~\$4 is not revenue for purposes of s. 28.36 and may not be used~~  
515 ~~in establishing the budget of the clerk of the court under that~~  
516 ~~section or s. 28.35.~~ The department shall contract with the  
517 Florida Association of Court Clerks, Inc., to design, establish,  
518 operate, upgrade, and maintain an automated statewide Uniform  
519 Traffic Citation Accounting System to be operated by the clerks  
520 of the court which must ~~shall~~ include, but not be limited to,  
521 the accounting for traffic infractions by type, a record of the  
522 disposition of the citations, and an accounting system for the

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523 fines assessed and the subsequent fine amounts paid to the  
524 clerks of the court. The clerks of the court shall ~~must~~ provide  
525 the information required by this chapter to be transmitted to  
526 the department by electronic transmission pursuant to the  
527 contract.

528 (18) In addition to any penalties imposed, an  
529 administrative fee of \$12.50 must be paid for all noncriminal  
530 moving and nonmoving violations under chapters 316, 320, and  
531 322. Of this \$12.50 administrative fee, \$6.25 must be deposited  
532 into the Public Records Modernization Trust Fund and used  
533 exclusively for funding court-related technology needs of the  
534 clerk, as described in s. 29.008(1)(f)2. and (h), and \$6.25 must  
535 be deposited into the fine and forfeiture fund established  
536 pursuant to s. 142.01 ~~The clerk shall remit the administrative~~  
537 ~~fee to the Department of Revenue for deposit into the General~~  
538 ~~Revenue Fund.~~

539 Section 12. Subsection (1) of section 501.2101, Florida  
540 Statutes, is amended to read:

541 501.2101 Enforcing authorities; moneys received in certain  
542 proceedings.—

543 (1) Any moneys received by an enforcing authority for  
544 attorney ~~attorney's~~ fees and costs of investigation or  
545 litigation in proceedings brought under the provisions of s.  
546 501.207, s. 501.208, or s. 501.211 must ~~shall~~ be deposited as  
547 received in the Legal Affairs Revolving Trust Fund if the action  
548 is brought by the Department of Legal Affairs, and in the Grants  
549 and Donations ~~Consumer Frauds~~ Trust Fund of a state attorney ~~the~~  
550 ~~Justice Administrative Commission~~ if the action is brought by  
551 that ~~a~~ state attorney.

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552 Section 13. Paragraph (a) of subsection (2) of section  
553 741.30, Florida Statutes, is amended to read:

554 741.30 Domestic violence; injunction; powers and duties of  
555 court and clerk; petition; notice and hearing; temporary  
556 injunction; issuance of injunction; statewide verification  
557 system; enforcement; public records exemption.—

558 (2) (a) Notwithstanding any other law, the assessment of a  
559 filing fee for a petition for protection against domestic  
560 violence is prohibited. ~~However, subject to legislative~~  
561 ~~appropriation, the clerk of the circuit court may, on a~~  
562 ~~quarterly basis, submit to the Office of the State Courts~~  
563 ~~Administrator a certified request for reimbursement for~~  
564 ~~petitions for protection against domestic violence issued by the~~  
565 ~~court, at the rate of \$40 per petition. The request for~~  
566 ~~reimbursement must be submitted in the form and manner~~  
567 ~~prescribed by the Office of the State Courts Administrator. From~~  
568 ~~this reimbursement, the clerk shall pay any law enforcement~~  
569 ~~agency serving the injunction the fee requested by the law~~  
570 ~~enforcement agency; however, this fee may not exceed \$20.~~

571 Section 14. Paragraph (b) of subsection (3) of section  
572 784.046, Florida Statutes, is amended to read:

573 784.046 Action by victim of repeat violence, sexual  
574 violence, or dating violence for protective injunction; dating  
575 violence investigations, notice to victims, and reporting;  
576 pretrial release violations; public records exemption.—

577 (3)

578 (b) Notwithstanding any other law, the clerk of the court  
579 may not assess a fee for filing a petition for protection  
580 against repeat violence, sexual violence, or dating violence.

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581 ~~However, subject to legislative appropriation, the clerk of the~~  
582 ~~court may, each quarter, submit to the Office of the State~~  
583 ~~Courts Administrator a certified request for reimbursement for~~  
584 ~~petitions for protection issued by the court under this section~~  
585 ~~at the rate of \$40 per petition. The request for reimbursement~~  
586 ~~shall be submitted in the form and manner prescribed by the~~  
587 ~~Office of the State Courts Administrator. From this~~  
588 ~~reimbursement, the clerk shall pay the law enforcement agency~~  
589 ~~serving the injunction the fee requested by the law enforcement~~  
590 ~~agency; however, this fee may not exceed \$20.~~

591 Section 15. Paragraph (a) of subsection (2) of section  
592 784.0485, Florida Statutes, is amended to read:

593 784.0485 Stalking; injunction; powers and duties of court  
594 and clerk; petition; notice and hearing; temporary injunction;  
595 issuance of injunction; statewide verification system;  
596 enforcement.-

597 (2) (a) Notwithstanding any other law, the clerk of court  
598 may not assess a filing fee to file a petition for protection  
599 against stalking. ~~However, subject to legislative appropriation,~~  
600 ~~the clerk of the circuit court may, on a quarterly basis, submit~~  
601 ~~to the Office of the State Courts Administrator a certified~~  
602 ~~request for reimbursement for petitions for protection against~~  
603 ~~stalking issued by the court, at the rate of \$40 per petition.~~  
604 ~~The request for reimbursement shall be submitted in the form and~~  
605 ~~manner prescribed by the Office of the State Courts~~  
606 ~~Administrator. From this reimbursement, the clerk shall pay any~~  
607 ~~law enforcement agency serving the injunction the fee requested~~  
608 ~~by the law enforcement agency; however, this fee may not exceed~~  
609 ~~\$20.~~

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610

Section 16. This act shall take effect July 1, 2024.