

By the Committee on Judiciary; and Senators Hutson, Rouson, and Martin

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1                                   A bill to be entitled  
2       An act relating to clerks of the court; amending s.  
3       27.52, F.S.; revising the fund into which moneys  
4       recovered by certain state attorneys must be  
5       deposited; amending s. 27.54, F.S.; revising the fund  
6       into which certain payments received must be deposited  
7       as related to public defenders or regional counsels;  
8       making technical changes; amending s. 27.703, F.S.;  
9       revising the entity that funds the capital collateral  
10      regional counsel; amending s. 28.241 F.S.; revising  
11      the allocation of filing fees for certain trial and  
12      appellate proceedings; amending s. 28.35, F.S.;  
13      providing additional duties of the Florida Clerks of  
14      Court Operations Corporation related to budget  
15      requests; revising the functions that clerks of the  
16      court may fund using certain fees and fines; amending  
17      s. 28.37, F.S.; requiring the Florida Clerks of Court  
18      Operations Corporation to calculate certain excesses  
19      collected from fines, fees, service charges, and costs  
20      annually by a date certain; amending s. 34.041, F.S.;  
21      revising the fund into which certain filing fees are  
22      to be deposited; amending s. 40.29, F.S.; authorizing  
23      the Florida Clerks of Court Operations Corporation to  
24      submit requests for reimbursement at a specified rate  
25      for petitions related to certain sexual violence  
26      offenses; requiring clerks of the court who receive  
27      the reimbursement to pay the law enforcement agency  
28      serving injunctions a specified fee if requested;  
29      authorizing the corporation to submit reimbursement

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30 requests for approved applications for civil indigency  
31 in which the filing fee was waived; authorizing the  
32 corporation to submit to the Justice Administrative  
33 Commission a certain amount related to Florida  
34 Retirement System contribution rate increases for  
35 court-related employees; amending s. 57.082, F.S.;  
36 conforming provisions to changes made by the act;  
37 amending s. 110.112, F.S.; deleting a provision  
38 requiring each state attorney to publish an annual  
39 report addressing results of his or her affirmative  
40 action program; amending s. 186.003, F.S.; revising  
41 the definition of "state agency"; amending s. 318.18,  
42 F.S.; revising the distribution of certain civil  
43 penalty amounts and administrative fees; creating s.  
44 322.76, F.S.; creating the Clerk of the Court Driver  
45 License Reinstatement Pilot Program in Miami-Dade  
46 County; defining the term "clerk"; authorizing the  
47 clerk of the circuit court for Miami-Dade County to  
48 reinstate or provide an affidavit to the Department of  
49 Highway Safety and Motor Vehicles to reinstate certain  
50 suspended driver licenses; establishing requirements  
51 for the clerk under the program to be performed by a  
52 date certain; providing for expiration of the program;  
53 amending s. 501.2101, F.S.; revising the funds into  
54 which certain moneys received by state attorneys must  
55 be deposited; amending s. 741.30, F.S.; deleting a  
56 provision authorizing certain clerks of circuit courts  
57 to request reimbursement for certain petitions related  
58 to domestic violence; amending s. 784.046, F.S.;

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59 deleting a provision authorizing the clerk of circuit  
60 court, under specific circumstances, to request  
61 reimbursement for certain petitions related to repeat,  
62 sexual, or dating violence; amending s. 784.0485,  
63 F.S.; deleting a provision authorizing clerks of the  
64 circuit court, under specific circumstances, to  
65 request reimbursement for certain petitions related to  
66 stalking; providing an effective date.

67  
68 Be It Enacted by the Legislature of the State of Florida:

69  
70 Section 1. Paragraph (b) of subsection (7) of section  
71 27.52, Florida Statutes, is amended to read:

72 27.52 Determination of indigent status.—

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

74 (b) If the court has reason to believe that any applicant,  
75 through fraud or misrepresentation, was improperly determined to  
76 be indigent or indigent for costs, the matter shall be referred  
77 to the state attorney. Twenty-five percent of any amount  
78 recovered by the state attorney as reasonable value of the  
79 services rendered, including fees, charges, and costs paid by  
80 the state on the person's behalf, shall be remitted to the  
81 Department of Revenue for deposit into the Grants and Donations  
82 Trust Fund of the applicable state attorney ~~within the Justice~~  
83 ~~Administrative Commission~~. Seventy-five percent of any amount  
84 recovered shall be remitted to the Department of Revenue for  
85 deposit into the General Revenue Fund.

86 Section 2. Paragraph (c) of subsection (2) of section  
87 27.54, Florida Statutes, is amended to read:

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88           27.54 Limitation on payment of expenditures other than by  
89 the state.—

90           (2) A county or municipality may contract with, or  
91 appropriate or contribute funds to, the operation of the offices  
92 of the various public defenders and regional counsels ~~counsel~~ as  
93 provided in this subsection. A public defender or regional  
94 counsel defending violations of special laws or county or  
95 municipal ordinances punishable by incarceration and not  
96 ancillary to a state charge shall contract with counties and  
97 municipalities to recover the full cost of services rendered on  
98 an hourly basis or reimburse the state for the full cost of  
99 assigning one or more full-time equivalent attorney positions to  
100 work on behalf of the county or municipality. Notwithstanding  
101 any other provision of law, in the case of a county with a  
102 population of less than 75,000, the public defender or regional  
103 counsel shall contract for full reimbursement, or for  
104 reimbursement as the parties otherwise agree. In local ordinance  
105 violation cases, the county or municipality shall pay for due  
106 process services that are approved by the court, including  
107 deposition costs, deposition transcript costs, investigative  
108 costs, witness fees, expert witness costs, and interpreter  
109 costs. The person charged with the violation shall be assessed a  
110 fee for the services of a public defender or regional counsel  
111 and other costs and fees paid by the county or municipality,  
112 which assessed fee may be reduced to a lien, in all instances in  
113 which the person enters a plea of guilty or no contest or is  
114 found to be in violation or guilty of any count or lesser  
115 included offense of the charge or companion case charges,  
116 regardless of adjudication. The court shall determine the amount

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117 of the obligation. The county or municipality may recover  
118 assessed fees through collections court or as otherwise  
119 permitted by law, and any fees recovered pursuant to this  
120 section shall be forwarded to the applicable county or  
121 municipality as reimbursement.

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

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

129 27.703 Conflict of interest and substitute counsel.—

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

135 Section 4. Paragraph (a) of subsection (1) of section  
136 28.241, Florida Statutes, is amended to read:

137 28.241 Filing fees for trial and appellate proceedings.—

138 (1) Filing fees are due at the time a party files a  
139 pleading to initiate a proceeding or files a pleading for  
140 relief. Reopen fees are due at the time a party files a pleading  
141 to reopen a proceeding if at least 90 days have elapsed since  
142 the filing of a final order or final judgment with the clerk. If  
143 a fee is not paid upon the filing of the pleading as required  
144 under this section, the clerk shall pursue collection of the fee  
145 pursuant to s. 28.246.

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146 (a)1.a. Except as provided in sub-subparagraph b. and  
147 subparagraph 2., the party instituting any civil action, suit,  
148 or proceeding in the circuit court shall pay to the clerk of  
149 that court a filing fee of up to \$395 in all cases in which  
150 there are not more than five defendants and an additional filing  
151 fee of up to \$2.50, from which the clerk shall remit \$0.50 to  
152 the Department of Revenue for deposit into the General Revenue  
153 Fund, for each defendant in excess of five. Of the first \$200 in  
154 filing fees, \$195 must be remitted to the Department of Revenue  
155 for deposit into the State Courts Revenue Trust Fund, \$4 must be  
156 remitted to the Department of Revenue for deposit into the  
157 Administrative Trust Fund within the Department of Financial  
158 Services and used to fund the contract with the Florida Clerks  
159 of Court Operations Corporation created in s. 28.35, and \$1 must  
160 be remitted to the Department of Revenue for deposit into the  
161 Administrative Trust Fund within the Department of Financial  
162 Services to fund audits of individual clerks' court-related  
163 expenditures conducted by the Department of Financial Services.

164 b. The party instituting any civil action, suit, or  
165 proceeding in the circuit court under chapter 39, chapter 61,  
166 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
167 753 shall pay to the clerk of that court a filing fee of up to  
168 \$295 in all cases in which there are not more than five  
169 defendants and an additional filing fee of up to \$2.50 for each  
170 defendant in excess of five. Of the first \$100 in filing fees,  
171 \$95 must be remitted to the Department of Revenue for deposit  
172 into the State Courts Revenue Trust Fund, \$4 must be remitted to  
173 the Department of Revenue for deposit into the Administrative  
174 Trust Fund within the Department of Financial Services and used

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175 to fund the contract with the Florida Clerks of Court Operations  
176 Corporation created in s. 28.35, and \$1 must be remitted to the  
177 Department of Revenue for deposit into the Administrative Trust  
178 Fund within the Department of Financial Services to fund audits  
179 of individual clerks' court-related expenditures conducted by  
180 the Department of Financial Services.

181 c. An additional filing fee of \$4 shall be paid to the  
182 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
183 for deposit into the Court Education Trust Fund and shall remit  
184 50 cents to the Department of Revenue for deposit into the  
185 Administrative Trust Fund within the Department of Financial  
186 Services to fund clerk education provided by the Florida Clerks  
187 of Court Operations Corporation. An additional filing fee of up  
188 to \$18 shall be paid by the party seeking each severance that is  
189 granted, from which the clerk shall remit \$3 to the Department  
190 of Revenue for deposit into the General Revenue Fund. The clerk  
191 may impose an additional filing fee of up to \$85, from which the  
192 clerk shall remit \$10 to the Department of Revenue for deposit  
193 into the General Revenue Fund, for all proceedings of  
194 garnishment, attachment, replevin, and distress. Postal charges  
195 incurred by the clerk of the circuit court in making service by  
196 certified or registered mail on defendants or other parties  
197 shall be paid by the party at whose instance service is made.  
198 Additional fees, charges, or costs may not be added to the  
199 filing fees imposed under this section, except as authorized in  
200 this section or by general law.

201 2.a. Notwithstanding the fees prescribed in subparagraph  
202 1., a party instituting a civil action in circuit court relating  
203 to real property or mortgage foreclosure shall pay a graduated

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204 filing fee based on the value of the claim.

205       b. A party shall estimate in writing the amount in  
206 controversy of the claim upon filing the action. For purposes of  
207 this subparagraph, the value of a mortgage foreclosure action is  
208 based upon the principal due on the note secured by the  
209 mortgage, plus interest owed on the note and any moneys advanced  
210 by the lender for property taxes, insurance, and other advances  
211 secured by the mortgage, at the time of filing the foreclosure.  
212 The value shall also include the value of any tax certificates  
213 related to the property. In stating the value of a mortgage  
214 foreclosure claim, a party shall declare in writing the total  
215 value of the claim, as well as the individual elements of the  
216 value as prescribed in this sub-subparagraph.

217       c. In its order providing for the final disposition of the  
218 matter, the court shall identify the actual value of the claim.  
219 The clerk shall adjust the filing fee if there is a difference  
220 between the estimated amount in controversy and the actual value  
221 of the claim and collect any additional filing fee owed or  
222 provide a refund of excess filing fee paid.

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

224       (I) Three hundred and ninety-five dollars in all cases in  
225 which the value of the claim is \$50,000 or less and in which  
226 there are not more than five defendants. The party shall pay an  
227 additional filing fee of up to \$2.50 for each defendant in  
228 excess of five. Of the first \$200 in filing fees, \$195 must be  
229 remitted by the clerk to the Department of Revenue for deposit  
230 into the General Revenue Fund, \$4 must be remitted to the  
231 Department of Revenue for deposit into the Administrative Trust  
232 Fund within the Department of Financial Services and used to



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233 fund the contract with the Florida Clerks of Court Operations  
234 Corporation created in s. 28.35, and \$1 must be remitted to the  
235 Department of Revenue for deposit into the Administrative Trust  
236 Fund within the Department of Financial Services to fund audits  
237 of individual clerks' court-related expenditures conducted by  
238 the Department of Financial Services;

239 (II) Nine hundred dollars in all cases in which the value  
240 of the claim is more than \$50,000 but less than \$250,000 and in  
241 which there are not more than five defendants. The party shall  
242 pay an additional filing fee of up to \$2.50 for each defendant  
243 in excess of five. Of the first \$355 in filing fees, \$350 must  
244 be remitted by the clerk to the Department of Revenue for  
245 deposit into the General Revenue Fund, \$4 must be remitted to  
246 the Department of Revenue for deposit into the Administrative  
247 Trust Fund within the Department of Financial Services and used  
248 to fund the contract with the Florida Clerks of Court Operations  
249 Corporation created in s. 28.35, and \$1 must be remitted to the  
250 Department of Revenue for deposit into the Administrative Trust  
251 Fund within the Department of Financial Services to fund audits  
252 of individual clerks' court-related expenditures conducted by  
253 the Department of Financial Services; or

254 (III) One thousand nine hundred dollars in all cases in  
255 which the value of the claim is \$250,000 or more and in which  
256 there are not more than five defendants. The party shall pay an  
257 additional filing fee of up to \$2.50 for each defendant in  
258 excess of five. Of the first \$1,240 ~~\$1,705~~ in filing fees, \$465  
259 ~~\$930~~ must be remitted by the clerk to the Department of Revenue  
260 for deposit into the General Revenue Fund, \$770 must be remitted  
261 to the Department of Revenue for deposit into the State Courts

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262 Revenue Trust Fund, \$4 must be remitted to the Department of  
263 Revenue for deposit into the Administrative Trust Fund within  
264 the Department of Financial Services to fund the contract with  
265 the Florida Clerks of Court Operations Corporation created in s.  
266 28.35, and \$1 must be remitted to the Department of Revenue for  
267 deposit into the Administrative Trust Fund within the Department  
268 of Financial Services to fund audits of individual clerks'  
269 court-related expenditures conducted by the Department of  
270 Financial Services.

271 e. An additional filing fee of \$4 shall be paid to the  
272 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
273 for deposit into the Court Education Trust Fund and shall remit  
274 50 cents to the Department of Revenue for deposit into the  
275 Administrative Trust Fund within the Department of Financial  
276 Services to fund clerk education provided by the Florida Clerks  
277 of Court Operations Corporation. An additional filing fee of up  
278 to \$18 shall be paid by the party seeking each severance that is  
279 granted. The clerk may impose an additional filing fee of up to  
280 \$85 for all proceedings of garnishment, attachment, replevin,  
281 and distress. Postal charges incurred by the clerk of the  
282 circuit court in making service by certified or registered mail  
283 on defendants or other parties shall be paid by the party at  
284 whose instance service is made. Additional fees, charges, or  
285 costs may not be added to the filing fees imposed under this  
286 section, except as authorized in this section or by general law.

287 Section 5. Paragraph (i) of subsection (2) and paragraph  
288 (a) of subsection (3) of section 28.35, Florida Statutes, are  
289 amended, and paragraph (j) is added to subsection (2) of that  
290 section, to read:

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291 28.35 Florida Clerks of Court Operations Corporation.—

292 (2) The duties of the corporation shall include the  
293 following:

294 (i) Annually preparing a budget request which,  
295 notwithstanding the provisions of chapter 216 and in accordance  
296 with s. 216.351, provides the anticipated amount necessary for  
297 reimbursement pursuant to s. 40.29(6) and (7). The request for  
298 the anticipated reimbursement amount shall be submitted in the  
299 form and manner prescribed by the Justice Administrative  
300 Commission. Such request is not subject to change by the Justice  
301 Administrative Commission, except for technical changes  
302 necessary to conform to the legislative budget instructions, and  
303 shall be submitted to the Governor for transmittal to the  
304 Legislature.

305 (j) Annually preparing a budget request that,  
306 notwithstanding the provisions of chapter 216 and in accordance  
307 with s. 216.351, provides the anticipated amount necessary to  
308 fund increases in employer contribution rates pursuant to ss.  
309 121.71 and 121.72 for court-related employees participating in  
310 the Florida Retirement System. The request for the anticipated  
311 appropriation must be submitted in the form and manner  
312 prescribed by the Justice Administrative Commission. The budget  
313 request may not be changed by the Justice Administrative  
314 Commission, except for technical changes necessary to conform to  
315 the legislative budget instructions, and must be submitted to  
316 the Governor for transmittal to the Legislature.

317 (3) (a) The list of court-related functions that clerks may  
318 fund from filing fees, service charges, court costs, and fines  
319 is limited to those functions expressly authorized by law or

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320 court rule. Those functions include the following: case  
321 maintenance; records management; court preparation and  
322 attendance; processing the assignment, reopening, and  
323 reassignment of cases; processing of appeals; collection and  
324 distribution of fines, fees, service charges, and court costs;  
325 processing of bond forfeiture payments; data collection and  
326 reporting; determinations of indigent status; improving court  
327 technology; and paying reasonable administrative support costs  
328 to enable the clerk of the court to carry out these court-  
329 related functions.

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

332 28.37 Fines, fees, service charges, and costs remitted to  
333 the state.—

334 (4)

335 (b) No later than February 1 annually, ~~2022, and each~~  
336 ~~February 1 thereafter~~, the Florida Clerks of Court Operations  
337 Corporation must calculate ~~Department of Revenue shall transfer~~  
338 ~~50 percent of the cumulative excess, which of the original~~  
339 ~~revenue projection from the Clerks of the Court Trust Fund to~~  
340 ~~the General Revenue Fund. The remaining 50 percent in the Clerks~~  
341 ~~of the Court Trust Fund~~ may be used in the development of the  
342 total combined budgets of the clerks of the court as provided in  
343 s. 28.35(2)(f)6. ~~However~~, A minimum of 10 percent ~~of the clerk-~~  
344 ~~retained portion~~ of the cumulative excess amount must be held in  
345 reserve until such funds reach an amount equal to at least 16  
346 percent of the total budget authority from the current county  
347 fiscal year, as provided in s. 28.36(3)(a).

348 Section 7. Paragraphs (c) and (d) of subsection (1) of

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349 section 34.041, Florida Statutes, are amended to read:

350 34.041 Filing fees.—

351 (1)

352 (c) A party in addition to a party described in paragraph  
353 (a) who files a pleading in an original civil action in the  
354 county court for affirmative relief by cross-claim,  
355 counterclaim, counterpetition, or third-party complaint, or who  
356 files a notice of cross-appeal or notice of joinder or motion to  
357 intervene as an appellant, cross-appellant, or petitioner, shall  
358 pay the clerk of court a fee of \$295 if the relief sought by the  
359 party under this paragraph exceeds \$2,500 but is not more than  
360 \$15,000 and \$395 if the relief sought by the party under this  
361 paragraph exceeds \$15,000. The clerk shall deposit ~~remit~~ the fee  
362 if the relief sought by the party under this paragraph exceeds  
363 \$2,500 but is not more than \$15,000 ~~to the Department of Revenue~~  
364 ~~for deposit~~ into the fine and forfeiture fund established  
365 pursuant to s. 142.01 General Revenue Fund. This fee does not  
366 apply if the cross-claim, counterclaim, counterpetition, or  
367 third-party complaint requires transfer of the case from county  
368 to circuit court. However, the party shall pay to the clerk the  
369 standard filing fee for the court to which the case is to be  
370 transferred.

371 (d) The clerk of court shall collect a service charge of  
372 \$10 for issuing a summons or an electronic certified copy of a  
373 summons, which the clerk shall deposit into the fine and  
374 forfeiture fund established pursuant to s. 142.01 ~~remit to the~~  
375 ~~Department of Revenue for deposit into the General Revenue Fund~~.  
376 The clerk shall assess the fee against the party seeking to have  
377 the summons issued.

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

381 40.29 Payment of due-process costs; reimbursement for  
382 petitions, ~~and orders,~~ and waived civil filing fees for  
383 indigency; payment of Florida Retirement System costs for court-  
384 related employees.-

385 (6) Subject to legislative appropriation, the Florida  
386 Clerks of Court Operations Corporation ~~clerk of the circuit~~  
387 ~~court~~ may, on behalf of the clerks of the circuit court, on a  
388 quarterly basis, submit to the Justice Administrative Commission  
389 a certified request for reimbursement for petitions and orders  
390 filed under ss. 394.459, 394.463, 394.467, 394.917, and  
391 397.6814, at the rate of \$40 per petition or order and for  
392 orders filed under ss. 741.30, 784.046, and 784.0485, the  
393 Florida Clerks of Court Operations Corporation may, on a  
394 quarterly basis, submit a request for reimbursement at the rate  
395 of \$195 per petition. From this reimbursement, the clerk of the  
396 court receiving reimbursement must pay any law enforcement  
397 agency serving injunctions a fee not to exceed \$40 per  
398 injunction, if so requested by the law enforcement agency. Such  
399 request for reimbursement shall be submitted in the form and  
400 manner prescribed by the Justice Administrative Commission  
401 pursuant to s. 28.35(2)(i).

402 (7) Subject to legislative appropriation, the Florida  
403 Clerks of Court Operations Corporation may, on a quarterly  
404 basis, submit to the Justice Administrative Commission a  
405 certified request for reimbursement for approved applications  
406 for civil indigency under s. 57.082, in which the civil filing

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407 fee has been waived, at the rate of \$195 per approved  
408 application. The request for reimbursement shall be submitted in  
409 the form and manner prescribed by the Justice Administrative  
410 Commission pursuant to s. 28.35(2)(i).

411 (8) Subject to legislative appropriation, the Florida  
412 Clerks of Court Operations Corporation must submit to the  
413 Justice Administrative Commission a certified amount by county  
414 of the employer contribution rate increases for the Florida  
415 Retirement System for court-related employees.

416 Section 9. Paragraph (b) of subsection (7) of section  
417 57.082, Florida Statutes, is amended to read:

418 57.082 Determination of civil indigent status.—

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

420 (b) If the court has reason to believe that any applicant,  
421 through fraud or misrepresentation, was improperly determined to  
422 be indigent, the matter shall be referred to the state attorney.  
423 Twenty-five percent of any amount recovered by the state  
424 attorney as reasonable value of the services rendered, including  
425 fees, charges, and costs paid by the state on the person's  
426 behalf, shall be remitted to the Department of Revenue for  
427 deposit into the Grants and Donations Trust Fund of ~~within~~ the  
428 applicable state attorney ~~Justice Administrative Commission~~.  
429 Seventy-five percent of any amount recovered shall be remitted  
430 to the Department of Revenue for deposit into the General  
431 Revenue Fund.

432 Section 10. Paragraph (d) of subsection (4) of section  
433 110.112, Florida Statutes, is amended to read:

434 110.112 Affirmative action; equal employment opportunity.—

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

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436 ~~(d) Report annually to the Justice Administrative~~  
437 ~~Commission on the implementation, continuance, updating, and~~  
438 ~~results of his or her affirmative action program for the~~  
439 ~~previous fiscal year.~~

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

442 186.003 Definitions; ss. 186.001-186.031, 186.801-186.901.-  
443 As used in ss. 186.001-186.031 and 186.801-186.901, the term:

444 (6) "State agency" or "agency" means any official, officer,  
445 commission, board, authority, council, committee, or department  
446 of the executive branch of state government. For purposes of  
447 this chapter, "state agency" or "agency" includes ~~state~~  
448 ~~attorneys, public defenders, the capital collateral regional~~  
449 ~~counsel, the Justice Administrative Commission, and the Public~~  
450 ~~Service Commission.~~

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

453 318.18 Amount of penalties.—The penalties required for a  
454 noncriminal disposition pursuant to s. 318.14 or a criminal  
455 offense listed in s. 318.17 are as follows:

456 (8) (a) Any person who fails to comply with the court's  
457 requirements or who fails to pay the civil penalties specified  
458 in this section within the 30-day period provided for in s.  
459 318.14 must pay an additional civil penalty of \$16, \$1.50 ~~\$6.50~~  
460 of which must be remitted to the Department of Revenue for  
461 deposit in the General Revenue Fund, ~~and~~ \$9.50 of which must be  
462 remitted to the Department of Revenue for deposit in the Highway  
463 Safety Operating Trust Fund, and \$5 of which shall be retained  
464 by the clerk of the court to be deposited in the Public Records



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465 Modernization Trust Fund and used exclusively for funding court-  
466 related technology needs of the clerk, as defined in s.  
467 29.008(1)(f)2. and (h). ~~Of this additional civil penalty of \$16,~~  
468 ~~\$4 is not revenue for purposes of s. 28.36 and may not be used~~  
469 ~~in establishing the budget of the clerk of the court under that~~  
470 ~~section or s. 28.35.~~ The department shall contract with the  
471 Florida Association of Court Clerks, Inc., to design, establish,  
472 operate, upgrade, and maintain an automated statewide Uniform  
473 Traffic Citation Accounting System to be operated by the clerks  
474 of the court which shall include, but not be limited to, the  
475 accounting for traffic infractions by type, a record of the  
476 disposition of the citations, and an accounting system for the  
477 fines assessed and the subsequent fine amounts paid to the  
478 clerks of the court. The clerks of the court must provide the  
479 information required by this chapter to be transmitted to the  
480 department by electronic transmission pursuant to the contract.

481 (18) In addition to any penalties imposed, an  
482 administrative fee of \$12.50 must be paid for all noncriminal  
483 moving and nonmoving violations under chapters 316, 320, and  
484 322. Of this administrative fee, \$6.25 must be deposited into  
485 the Public Records Modernization Trust Fund and used exclusively  
486 for funding court-related technology needs of the clerk, as  
487 defined in s. 29.008(1)(f)2. and (h), and \$6.25 must be  
488 deposited into the fine and forfeiture fund established pursuant  
489 to s. 142.01 ~~The clerk shall remit the administrative fee to the~~  
490 ~~Department of Revenue for deposit into the General Revenue Fund.~~

491 Section 13. Section 322.76, Florida Statutes, is created to  
492 read:

493 322.76 Miami-Dade County Clerk of the Court Driver License

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494 Reinstatement Pilot Program.—There is created in Miami-Dade  
495 County the Clerk of the Court Driver License Reinstatement Pilot  
496 Program.

497 (1) As used in this section, the term “clerk” means the  
498 clerk of the circuit court for Miami-Dade County.

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

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

504 (b) As a result of the end of suspension because of points,  
505 under s. 322.27, notwithstanding the person receiving a hardship  
506 waiver.

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

509 (3) Notwithstanding s. 322.29(1), an examination is not  
510 required for the reinstatement of a driver license suspended  
511 under s. 318.15 or s. 322.245 unless an examination is otherwise  
512 required by this chapter. A person applying for the  
513 reinstatement of a driver license suspended under s. 318.15 or  
514 s. 322.245 must present to the clerk certification from the  
515 court that he or she has either complied with all obligations  
516 and penalties imposed pursuant to s. 318.15 or with all  
517 directives of the court and the requirements of s. 322.245.

518 (4) A nonrefundable service fee must be paid pursuant to s.  
519 322.29(2).

520 (5) Before July 1, 2024, the department shall work with the  
521 clerk, through the clerk’s association, to ensure the ability  
522 within its technology system for the clerk to reinstate

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523 suspended driver licenses under the pilot program, to begin on  
524 July 1, 2024.

525 (6) By December 31, 2025, the clerk must submit to the  
526 Governor, the President of the Senate, the Speaker of the House  
527 of Representatives, and the executive director of the Florida  
528 Clerks of Court Operations Corporation a report containing the  
529 following information:

530 (a) Number of driver license reinstatements.

531 (b) Amount of fees and costs collected, including the  
532 aggregate funds received by the clerk, local governmental  
533 entities, and state entities, including the General Revenue  
534 Fund.

535 (c) The personnel, operating, and other expenditures  
536 incurred by the clerk.

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

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

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

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

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

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

548 501.2101 Enforcing authorities; moneys received in certain  
549 proceedings.—

550 (1) Any moneys received by an enforcing authority for  
551 attorney ~~attorney's~~ fees and costs of investigation or

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552 litigation in proceedings brought under the provisions of s.  
553 501.207, s. 501.208, or s. 501.211 shall be deposited as  
554 received in the Legal Affairs Revolving Trust Fund if the action  
555 is brought by the Department of Legal Affairs, and in the Grants  
556 and Donations ~~Consumer Frauds~~ Trust Fund of a state attorney ~~the~~  
557 ~~Justice Administrative Commission~~ if the action is brought by  
558 the a state attorney.

559 Section 15. Paragraph (a) of subsection (2) of section  
560 741.30, Florida Statutes, is amended to read:

561 741.30 Domestic violence; injunction; powers and duties of  
562 court and clerk; petition; notice and hearing; temporary  
563 injunction; issuance of injunction; statewide verification  
564 system; enforcement; public records exemption.—

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

578 Section 16. Paragraph (b) of subsection (3) of section  
579 784.046, Florida Statutes, is amended to read:

580 784.046 Action by victim of repeat violence, sexual

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581 violence, or dating violence for protective injunction; dating  
582 violence investigations, notice to victims, and reporting;  
583 pretrial release violations; public records exemption.—

584 (3) (b) Notwithstanding any other law, the clerk of the  
585 court may not assess a fee for filing a petition for protection  
586 against repeat violence, sexual violence, or dating violence.  
587 ~~However, subject to legislative appropriation, the clerk of the~~  
588 ~~court may, each quarter, submit to the Office of the State~~  
589 ~~Courts Administrator a certified request for reimbursement for~~  
590 ~~petitions for protection issued by the court under this section~~  
591 ~~at the rate of \$40 per petition. The request for reimbursement~~  
592 ~~shall be submitted in the form and manner prescribed by the~~  
593 ~~Office of the State Courts Administrator. From this~~  
594 ~~reimbursement, the clerk shall pay the law enforcement agency~~  
595 ~~serving the injunction the fee requested by the law enforcement~~  
596 ~~agency; however, this fee may not exceed \$20.~~

597 Section 17. Paragraph (a) of subsection (2) of section  
598 784.0485, Florida Statutes, is amended to read:

599 784.0485 Stalking; injunction; powers and duties of court  
600 and clerk; petition; notice and hearing; temporary injunction;  
601 issuance of injunction; statewide verification system;  
602 enforcement.—

603 (2) (a) Notwithstanding any other law, the clerk of court  
604 may not assess a filing fee to file a petition for protection  
605 against stalking. ~~However, subject to legislative appropriation,~~  
606 ~~the clerk of the circuit court may, on a quarterly basis, submit~~  
607 ~~to the Office of the State Courts Administrator a certified~~  
608 ~~request for reimbursement for petitions for protection against~~  
609 ~~stalking issued by the court, at the rate of \$40 per petition.~~

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610 ~~The request for reimbursement shall be submitted in the form and~~  
611 ~~manner prescribed by the Office of the State Courts~~  
612 ~~Administrator. From this reimbursement, the clerk shall pay any~~  
613 ~~law enforcement agency serving the injunction the fee requested~~  
614 ~~by the law enforcement agency; however, this fee may not exceed~~  
615 ~~\$20.~~

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