

**By** the Appropriations Committee on Criminal and Civil Justice;  
the Committee on Judiciary; and Senators Hutson, Rouson, Martin,  
and Hooper

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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. 142.01, F.S.; authorizing  
41 clerks of the circuit court to invest specified funds  
42 in an interest-bearing account; requiring that  
43 interest earned in the fine and forfeiture fund be  
44 deposited in the Public Records Modernization Trust  
45 Fund and used exclusively for certain operations and  
46 enhancements; amending s. 186.003, F.S.; revising the  
47 definition of "state agency"; amending s. 318.18,  
48 F.S.; revising the distribution of certain civil  
49 penalty amounts and administrative fees; creating s.  
50 322.76, F.S.; creating the Clerk of the Court Driver  
51 License Reinstatement Pilot Program in Miami-Dade  
52 County; defining the term "clerk"; authorizing the  
53 clerk of the circuit court for Miami-Dade County to  
54 reinstate or provide an affidavit to the Department of  
55 Highway Safety and Motor Vehicles to reinstate certain  
56 suspended driver licenses; establishing requirements  
57 for the clerk under the program to be performed by a  
58 date certain; providing for expiration of the program;

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59 amending s. 501.2101, F.S.; revising the funds into  
60 which certain moneys received by state attorneys must  
61 be deposited; amending s. 741.30, F.S.; deleting a  
62 provision authorizing certain clerks of circuit courts  
63 to request reimbursement for certain petitions related  
64 to domestic violence; amending s. 784.046, F.S.;  
65 deleting a provision authorizing the clerk of circuit  
66 court, under specific circumstances, to request  
67 reimbursement for certain petitions related to repeat,  
68 sexual, or dating violence; amending s. 784.0485,  
69 F.S.; deleting a provision authorizing clerks of the  
70 circuit court, under specific circumstances, to  
71 request reimbursement for certain petitions related to  
72 stalking; providing an effective date.

73

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

75

76 Section 1. Paragraph (b) of subsection (7) of section  
77 27.52, Florida Statutes, is amended to read:

78 27.52 Determination of indigent status.—

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

80 (b) If the court has reason to believe that any applicant,  
81 through fraud or misrepresentation, was improperly determined to  
82 be indigent or indigent for costs, the matter shall be referred  
83 to the state attorney. Twenty-five percent of any amount  
84 recovered by the state attorney as reasonable value of the  
85 services rendered, including fees, charges, and costs paid by  
86 the state on the person's behalf, shall be remitted to the  
87 Department of Revenue for deposit into the Grants and Donations

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88 Trust Fund of the applicable state attorney ~~within the Justice~~  
89 ~~Administrative Commission~~. Seventy-five percent of any amount  
90 recovered shall be remitted to the Department of Revenue for  
91 deposit into the General Revenue Fund.

92 Section 2. Paragraph (c) of subsection (2) of section  
93 27.54, Florida Statutes, is amended to read:

94 27.54 Limitation on payment of expenditures other than by  
95 the state.—

96 (2) A county or municipality may contract with, or  
97 appropriate or contribute funds to, the operation of the offices  
98 of the various public defenders and regional counsels ~~counsel~~ as  
99 provided in this subsection. A public defender or regional  
100 counsel defending violations of special laws or county or  
101 municipal ordinances punishable by incarceration and not  
102 ancillary to a state charge shall contract with counties and  
103 municipalities to recover the full cost of services rendered on  
104 an hourly basis or reimburse the state for the full cost of  
105 assigning one or more full-time equivalent attorney positions to  
106 work on behalf of the county or municipality. Notwithstanding  
107 any other provision of law, in the case of a county with a  
108 population of less than 75,000, the public defender or regional  
109 counsel shall contract for full reimbursement, or for  
110 reimbursement as the parties otherwise agree. In local ordinance  
111 violation cases, the county or municipality shall pay for due  
112 process services that are approved by the court, including  
113 deposition costs, deposition transcript costs, investigative  
114 costs, witness fees, expert witness costs, and interpreter  
115 costs. The person charged with the violation shall be assessed a  
116 fee for the services of a public defender or regional counsel

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117 and other costs and fees paid by the county or municipality,  
118 which assessed fee may be reduced to a lien, in all instances in  
119 which the person enters a plea of guilty or no contest or is  
120 found to be in violation or guilty of any count or lesser  
121 included offense of the charge or companion case charges,  
122 regardless of adjudication. The court shall determine the amount  
123 of the obligation. The county or municipality may recover  
124 assessed fees through collections court or as otherwise  
125 permitted by law, and any fees recovered pursuant to this  
126 section shall be forwarded to the applicable county or  
127 municipality as reimbursement.

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

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

135 27.703 Conflict of interest and substitute counsel.—

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

141 Section 4. Paragraph (a) of subsection (1) of section  
142 28.241, Florida Statutes, is amended to read:

143 28.241 Filing fees for trial and appellate proceedings.—

144 (1) Filing fees are due at the time a party files a  
145 pleading to initiate a proceeding or files a pleading for

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146 relief. Reopen fees are due at the time a party files a pleading  
147 to reopen a proceeding if at least 90 days have elapsed since  
148 the filing of a final order or final judgment with the clerk. If  
149 a fee is not paid upon the filing of the pleading as required  
150 under this section, the clerk shall pursue collection of the fee  
151 pursuant to s. 28.246.

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

170 b. The party instituting any civil action, suit, or  
171 proceeding in the circuit court under chapter 39, chapter 61,  
172 chapter 741, chapter 742, chapter 747, chapter 752, or chapter  
173 753 shall pay to the clerk of that court a filing fee of up to  
174 \$295 in all cases in which there are not more than five

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175 defendants and an additional filing fee of up to \$2.50 for each  
176 defendant in excess of five. Of the first \$100 in filing fees,  
177 \$95 must be remitted to the Department of Revenue for deposit  
178 into the State Courts Revenue Trust Fund, \$4 must be remitted to  
179 the Department of Revenue for deposit into the Administrative  
180 Trust Fund within the Department of Financial Services and used  
181 to fund the contract with the Florida Clerks of Court Operations  
182 Corporation created in s. 28.35, and \$1 must be remitted to the  
183 Department of Revenue for deposit into the Administrative Trust  
184 Fund within the Department of Financial Services to fund audits  
185 of individual clerks' court-related expenditures conducted by  
186 the Department of Financial Services.

187 c. An additional filing fee of \$4 shall be paid to the  
188 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
189 for deposit into the Court Education Trust Fund and shall remit  
190 50 cents to the Department of Revenue for deposit into the  
191 Administrative Trust Fund within the Department of Financial  
192 Services to fund clerk education provided by the Florida Clerks  
193 of Court Operations Corporation. An additional filing fee of up  
194 to \$18 shall be paid by the party seeking each severance that is  
195 granted, from which the clerk shall remit \$3 to the Department  
196 of Revenue for deposit into the General Revenue Fund. The clerk  
197 may impose an additional filing fee of up to \$85, from which the  
198 clerk shall remit \$10 to the Department of Revenue for deposit  
199 into the General Revenue Fund, for all proceedings of  
200 garnishment, attachment, replevin, and distress. Postal charges  
201 incurred by the clerk of the circuit court in making service by  
202 certified or registered mail on defendants or other parties  
203 shall be paid by the party at whose instance service is made.

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204 Additional fees, charges, or costs may not be added to the  
205 filing fees imposed under this section, except as authorized in  
206 this section or by general law.

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

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

223 c. In its order providing for the final disposition of the  
224 matter, the court shall identify the actual value of the claim.  
225 The clerk shall adjust the filing fee if there is a difference  
226 between the estimated amount in controversy and the actual value  
227 of the claim and collect any additional filing fee owed or  
228 provide a refund of excess filing fee paid.

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

230 (I) Three hundred and ninety-five dollars in all cases in  
231 which the value of the claim is \$50,000 or less and in which  
232 there are not more than five defendants. The party shall pay an



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233 additional filing fee of up to \$2.50 for each defendant in  
234 excess of five. Of the first \$200 in filing fees, \$195 must be  
235 remitted by the clerk to the Department of Revenue for deposit  
236 into the General Revenue Fund, \$4 must be remitted to the  
237 Department of Revenue for deposit into the Administrative Trust  
238 Fund within the Department of Financial Services and used to  
239 fund the contract with the Florida Clerks of Court Operations  
240 Corporation created in s. 28.35, and \$1 must be remitted to the  
241 Department of Revenue for deposit into the Administrative Trust  
242 Fund within the Department of Financial Services to fund audits  
243 of individual clerks' court-related expenditures conducted by  
244 the Department of Financial Services;

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

260 (III) One thousand nine hundred dollars in all cases in  
261 which the value of the claim is \$250,000 or more and in which

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262 there are not more than five defendants. The party shall pay an  
263 additional filing fee of up to \$2.50 for each defendant in  
264 excess of five. Of the first \$1,240 ~~\$1,705~~ in filing fees, \$465  
265 ~~\$930~~ must be remitted by the clerk to the Department of Revenue  
266 for deposit into the General Revenue Fund, \$770 must be remitted  
267 to the Department of Revenue for deposit into the State Courts  
268 Revenue Trust Fund, \$4 must be remitted to the Department of  
269 Revenue for deposit into the Administrative Trust Fund within  
270 the Department of Financial Services to fund the contract with  
271 the Florida Clerks of Court Operations Corporation created in s.  
272 28.35, and \$1 must be remitted to the Department of Revenue for  
273 deposit into the Administrative Trust Fund within the Department  
274 of Financial Services to fund audits of individual clerks'  
275 court-related expenditures conducted by the Department of  
276 Financial Services.

277 e. An additional filing fee of \$4 shall be paid to the  
278 clerk. The clerk shall remit \$3.50 to the Department of Revenue  
279 for deposit into the Court Education Trust Fund and shall remit  
280 50 cents to the Department of Revenue for deposit into the  
281 Administrative Trust Fund within the Department of Financial  
282 Services to fund clerk education provided by the Florida Clerks  
283 of Court Operations Corporation. An additional filing fee of up  
284 to \$18 shall be paid by the party seeking each severance that is  
285 granted. The clerk may impose an additional filing fee of up to  
286 \$85 for all proceedings of garnishment, attachment, replevin,  
287 and distress. Postal charges incurred by the clerk of the  
288 circuit court in making service by certified or registered mail  
289 on defendants or other parties shall be paid by the party at  
290 whose instance service is made. Additional fees, charges, or

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291 costs may not be added to the filing fees imposed under this  
292 section, except as authorized in this section or by general law.

293 Section 5. Paragraph (i) of subsection (2) and paragraph  
294 (a) of subsection (3) of section 28.35, Florida Statutes, are  
295 amended, and paragraph (j) is added to subsection (2) of that  
296 section, to read:

297 28.35 Florida Clerks of Court Operations Corporation.—

298 (2) The duties of the corporation shall include the  
299 following:

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

311 (j) Annually preparing a budget request that,  
312 notwithstanding the provisions of chapter 216 and in accordance  
313 with s. 216.351, provides the anticipated amount necessary to  
314 fund increases in employer contribution rates pursuant to ss.  
315 121.71 and 121.72 for court-related employees participating in  
316 the Florida Retirement System. The request for the anticipated  
317 appropriation must be submitted in the form and manner  
318 prescribed by the Justice Administrative Commission. The budget  
319 request may not be changed by the Justice Administrative

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320 Commission, except for technical changes necessary to conform to  
321 the legislative budget instructions, and must be submitted to  
322 the Governor for transmittal to the Legislature.

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

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

338 28.37 Fines, fees, service charges, and costs remitted to  
339 the state.—

340 (4)

341 (b) No later than February 1 annually, 2022, and each  
342 February 1 thereafter, the Florida Clerks of Court Operations  
343 Corporation must calculate ~~Department of Revenue shall transfer~~  
344 ~~50 percent of the cumulative excess, which of the original~~  
345 ~~revenue projection from the Clerks of the Court Trust Fund to~~  
346 ~~the General Revenue Fund. The remaining 50 percent in the Clerks~~  
347 ~~of the Court Trust Fund~~ may be used in the development of the  
348 total combined budgets of the clerks of the court as provided in

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349 s. 28.35(2)(f)6. ~~However,~~ A minimum of 10 percent ~~of the clerk-~~  
350 ~~retained portion~~ of the cumulative excess amount must be held in  
351 reserve until such funds reach an amount equal to at least 16  
352 percent of the total budget authority from the current county  
353 fiscal year, as provided in s. 28.36(3)(a).

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

356 34.041 Filing fees.—

357 (1)

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

377 (d) The clerk of court shall collect a service charge of

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378 \$10 for issuing a summons or an electronic certified copy of a  
379 summons, which the clerk shall deposit into the fine and  
380 forfeiture fund established pursuant to s. 142.01 ~~remit to the~~  
381 ~~Department of Revenue for deposit into the General Revenue Fund.~~  
382 The clerk shall assess the fee against the party seeking to have  
383 the summons issued.

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

387 40.29 Payment of due-process costs; reimbursement for  
388 petitions, ~~and orders,~~ and waived civil filing fees for  
389 indigency; payment of Florida Retirement System costs for court-  
390 related employees.-

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

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407 pursuant to s. 28.35(2)(i).

408 (7) Subject to legislative appropriation, the Florida  
409 Clerks of Court Operations Corporation may, on a quarterly  
410 basis, submit to the Justice Administrative Commission a  
411 certified request for reimbursement for approved applications  
412 for civil indigency under s. 57.082, in which the civil filing  
413 fee has been waived, at the rate of \$195 per approved  
414 application. The request for reimbursement shall be submitted in  
415 the form and manner prescribed by the Justice Administrative  
416 Commission pursuant to s. 28.35(2)(i).

417 (8) Subject to legislative appropriation, the Florida  
418 Clerks of Court Operations Corporation must submit to the  
419 Justice Administrative Commission a certified amount by county  
420 of the employer contribution rate increases for the Florida  
421 Retirement System for court-related employees.

422 Section 9. Paragraph (b) of subsection (7) of section  
423 57.082, Florida Statutes, is amended to read:

424 57.082 Determination of civil indigent status.—

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

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

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436 to the Department of Revenue for deposit into the General  
437 Revenue Fund.

438 Section 10. Paragraph (d) of subsection (4) of section  
439 110.112, Florida Statutes, is amended to read:

440 110.112 Affirmative action; equal employment opportunity.-

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

442 ~~(d) Report annually to the Justice Administrative~~  
443 ~~Commission on the implementation, continuance, updating, and~~  
444 ~~results of his or her affirmative action program for the~~  
445 ~~previous fiscal year.~~

446 Section 11. Present subsection (2) of section 142.01,  
447 Florida Statutes, is redesignated as subsection (3), a new  
448 subsection (2) is added to that section, and subsection (1) of  
449 that section is amended, to read:

450 142.01 Fine and forfeiture fund; disposition of revenue;  
451 clerk of the circuit court.-

452 (1) (a) There shall be established by the clerk of the  
453 circuit court in each county of this state a separate fund to be  
454 known as the fine and forfeiture fund for use by the clerk of  
455 the circuit court in performing court-related functions. The  
456 fund shall consist of the following:

457 1. ~~(a)~~ Fines and penalties pursuant to ss. 28.2402(2),  
458 34.045(2), 316.193, 327.35, 327.72, 379.2203(1), and 775.083(1).

459 2. ~~(b)~~ That portion of civil penalties directed to this fund  
460 pursuant to s. 318.21.

461 3. ~~(c)~~ Court costs pursuant to ss. 28.2402(1)(b),  
462 34.045(1)(b), 318.14(10)(b), 318.18(11)(a), 327.73(9)(a) and  
463 (11)(a), and 938.05(3).

464 4. ~~(d)~~ Proceeds from forfeited bail bonds, unclaimed bonds,



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465 unclaimed moneys, or recognizances pursuant to ss. 321.05(4)(a),  
466 379.2203(1), and 903.26(3)(a).

467 ~~5.(e)~~ Fines and forfeitures pursuant to s. 34.191.

468 ~~6.(f)~~ Filing fees received pursuant to ss. 28.241 and  
469 34.041, unless the disposition of such fees is otherwise  
470 required by law.

471 ~~7.(g)~~ All other revenues received by the clerk as revenue  
472 authorized by law to be retained by the clerk.

473 (b) The clerk of the circuit court in each county may  
474 invest funds held in the fine and forfeiture fund as provided in  
475 paragraph (a) in an interest-bearing account.

476 (2) Interest earned in the fine and forfeiture fund must be  
477 deposited into the Public Records Modernization Trust Fund to be  
478 used exclusively for additional court-related operations and  
479 enhancements.

480 Section 12. Subsection (6) of section 186.003, Florida  
481 Statutes, is amended to read:

482 186.003 Definitions; ss. 186.001-186.031, 186.801-186.901.—  
483 As used in ss. 186.001-186.031 and 186.801-186.901, the term:

484 (6) "State agency" or "agency" means any official, officer,  
485 commission, board, authority, council, committee, or department  
486 of the executive branch of state government. For purposes of  
487 this chapter, "state agency" or "agency" includes ~~state~~  
488 ~~attorneys, public defenders, the capital collateral regional~~  
489 ~~counsel, the Justice Administrative Commission, and the Public~~  
490 Service Commission.

491 Section 13. Paragraph (a) of subsection (8) and subsection  
492 (18) of section 318.18, Florida Statutes, are amended to read:

493 318.18 Amount of penalties.—The penalties required for a

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

496 (8) (a) Any person who fails to comply with the court's  
497 requirements or who fails to pay the civil penalties specified  
498 in this section within the 30-day period provided for in s.  
499 318.14 must pay an additional civil penalty of \$16, \$1.50 ~~\$6.50~~  
500 of which must be remitted to the Department of Revenue for  
501 deposit in the General Revenue Fund, ~~and~~ \$9.50 of which must be  
502 remitted to the Department of Revenue for deposit in the Highway  
503 Safety Operating Trust Fund, and \$5 of which shall be retained  
504 by the clerk of the court to be deposited in the Public Records  
505 Modernization Trust Fund and used exclusively for funding court-  
506 related technology needs of the clerk, as defined in s.  
507 29.008(1)(f)2. and (h). ~~Of this additional civil penalty of \$16,~~  
508 ~~\$4 is not revenue for purposes of s. 28.36 and may not be used~~  
509 ~~in establishing the budget of the clerk of the court under that~~  
510 ~~section or s. 28.35.~~ The department shall contract with the  
511 Florida Association of Court Clerks, Inc., to design, establish,  
512 operate, upgrade, and maintain an automated statewide Uniform  
513 Traffic Citation Accounting System to be operated by the clerks  
514 of the court which shall include, but not be limited to, the  
515 accounting for traffic infractions by type, a record of the  
516 disposition of the citations, and an accounting system for the  
517 fines assessed and the subsequent fine amounts paid to the  
518 clerks of the court. The clerks of the court must provide the  
519 information required by this chapter to be transmitted to the  
520 department by electronic transmission pursuant to the contract.

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

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

531 Section 14. Section 322.76, Florida Statutes, is created to  
532 read:

533 322.76 Miami-Dade County Clerk of the Court Driver License  
534 Reinstatement Pilot Program.—There is created in Miami-Dade  
535 County the Clerk of the Court Driver License Reinstatement Pilot  
536 Program.

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

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

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

544 (b) As a result of the end of suspension because of points,  
545 under s. 322.27, notwithstanding the person receiving a hardship  
546 waiver.

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

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

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552 required by this chapter. A person applying for the  
553 reinstatement of a driver license suspended under s. 318.15 or  
554 s. 322.245 must present to the clerk certification from the  
555 court that he or she has either complied with all obligations  
556 and penalties imposed pursuant to s. 318.15 or with all  
557 directives of the court and the requirements of s. 322.245.

558 (4) A nonrefundable service fee must be paid pursuant to s.  
559 322.29(2).

560 (5) Before July 1, 2024, the department shall work with the  
561 clerk, through the clerk's association, to ensure the ability  
562 within its technology system for the clerk to reinstate  
563 suspended driver licenses under the pilot program, to begin on  
564 July 1, 2024.

565 (6) By December 31, 2025, the clerk must submit to the  
566 Governor, the President of the Senate, the Speaker of the House  
567 of Representatives, and the executive director of the Florida  
568 Clerks of Court Operations Corporation a report containing the  
569 following information:

570 (a) Number of driver license reinstatements.

571 (b) Amount of fees and costs collected, including the  
572 aggregate funds received by the clerk, local governmental  
573 entities, and state entities, including the General Revenue  
574 Fund.

575 (c) The personnel, operating, and other expenditures  
576 incurred by the clerk.

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

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

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

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

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

586 Section 15. Subsection (1) of section 501.2101, Florida  
587 Statutes, is amended to read:

588 501.2101 Enforcing authorities; moneys received in certain  
589 proceedings.—

590 (1) Any moneys received by an enforcing authority for  
591 attorney ~~attorney's~~ fees and costs of investigation or  
592 litigation in proceedings brought under the provisions of s.  
593 501.207, s. 501.208, or s. 501.211 shall be deposited as  
594 received in the Legal Affairs Revolving Trust Fund if the action  
595 is brought by the Department of Legal Affairs, and in the Grants  
596 and Donations ~~Consumer Frauds~~ Trust Fund of a state attorney ~~the~~  
597 ~~Justice Administrative Commission~~ if the action is brought by  
598 the a state attorney.

599 Section 16. Paragraph (a) of subsection (2) of section  
600 741.30, Florida Statutes, is amended to read:

601 741.30 Domestic violence; injunction; powers and duties of  
602 court and clerk; petition; notice and hearing; temporary  
603 injunction; issuance of injunction; statewide verification  
604 system; enforcement; public records exemption.—

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

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610 ~~Administrator a certified request for reimbursement for~~  
611 ~~petitions for protection against domestic violence issued by the~~  
612 ~~court, at the rate of \$40 per petition. The request for~~  
613 ~~reimbursement must be submitted in the form and manner~~  
614 ~~prescribed by the Office of the State Courts Administrator. From~~  
615 ~~this reimbursement, the clerk shall pay any law enforcement~~  
616 ~~agency serving the injunction the fee requested by the law~~  
617 ~~enforcement agency; however, this fee may not exceed \$20.~~

618 Section 17. Paragraph (b) of subsection (3) of section  
619 784.046, Florida Statutes, is amended to read:

620 784.046 Action by victim of repeat violence, sexual  
621 violence, or dating violence for protective injunction; dating  
622 violence investigations, notice to victims, and reporting;  
623 pretrial release violations; public records exemption.—

624 (3) (b) Notwithstanding any other law, the clerk of the  
625 court may not assess a fee for filing a petition for protection  
626 against repeat violence, sexual violence, or dating violence.  
627 ~~However, subject to legislative appropriation, the clerk of the~~  
628 ~~court may, each quarter, submit to the Office of the State~~  
629 ~~Courts Administrator a certified request for reimbursement for~~  
630 ~~petitions for protection issued by the court under this section~~  
631 ~~at the rate of \$40 per petition. The request for reimbursement~~  
632 ~~shall be submitted in the form and manner prescribed by the~~  
633 ~~Office of the State Courts Administrator. From this~~  
634 ~~reimbursement, the clerk shall pay the law enforcement agency~~  
635 ~~serving the injunction the fee requested by the law enforcement~~  
636 ~~agency; however, this fee may not exceed \$20.~~

637 Section 18. Paragraph (a) of subsection (2) of section  
638 784.0485, Florida Statutes, is amended to read:

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639           784.0485 Stalking; injunction; powers and duties of court  
640 and clerk; petition; notice and hearing; temporary injunction;  
641 issuance of injunction; statewide verification system;  
642 enforcement.-

643           (2) (a) Notwithstanding any other law, the clerk of court  
644 may not assess a filing fee to file a petition for protection  
645 against stalking. ~~However, subject to legislative appropriation,~~  
646 ~~the clerk of the circuit court may, on a quarterly basis, submit~~  
647 ~~to the Office of the State Courts Administrator a certified~~  
648 ~~request for reimbursement for petitions for protection against~~  
649 ~~stalking issued by the court, at the rate of \$40 per petition.~~  
650 ~~The request for reimbursement shall be submitted in the form and~~  
651 ~~manner prescribed by the Office of the State Courts~~  
652 ~~Administrator. From this reimbursement, the clerk shall pay any~~  
653 ~~law enforcement agency serving the injunction the fee requested~~  
654 ~~by the law enforcement agency; however, this fee may not exceed~~  
655 ~~\$20.~~

656           Section 19. This act shall take effect upon becoming a law.