

By Senator Stewart

17-00934A-24

2024950__

1 A bill to be entitled
2 An act relating to funding court technology; amending
3 s. 28.35, F.S.; authorizing clerks of court to fund
4 improvements to court technology from filing fees,
5 service charges, court costs, and fines; amending s.
6 318.18, F.S.; revising the distribution of a civil
7 penalty; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
10

11 Section 1. Paragraph (a) of subsection (3) of section
12 28.35, Florida Statutes, is amended to read:

13 28.35 Florida Clerks of Court Operations Corporation.—

14 (3) (a) The list of court-related functions that clerks may
15 fund from filing fees, service charges, court costs, and fines
16 is limited to those functions expressly authorized by law or
17 court rule. Those functions include the following: case
18 maintenance; records management; court preparation and
19 attendance; processing the assignment, reopening, and
20 reassignment of cases; processing of appeals; collection and
21 distribution of fines, fees, service charges, and court costs;
22 processing of bond forfeiture payments; data collection and
23 reporting; determinations of indigent status; improving court
24 technology; and paying reasonable administrative support costs
25 to enable the clerk of the court to carry out these court-
26 related functions.

27 Section 2. Paragraph (a) of subsection (8) and subsection
28 (18) of section 318.18, Florida Statutes, are amended to read:

29 318.18 Amount of penalties.—The penalties required for a

17-00934A-24

2024950__

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

32 (8) (a) Any person who fails to comply with the court's
33 requirements or who fails to pay the civil penalties specified
34 in this section within the 30-day period provided for in s.
35 318.14 must pay an additional civil penalty of \$16, \$1.50 ~~\$6.50~~
36 of which must be remitted to the Department of Revenue for
37 deposit in the General Revenue Fund, ~~and~~ \$9.50 of which must be
38 remitted to the Department of Revenue for deposit in the Highway
39 Safety Operating Trust Fund, and \$5.00 shall be retained by the
40 clerk to be deposited in the Public Records Modernization Trust
41 Fund and used exclusively for funding court-related technology
42 needs of the clerk as described in s. 29.008(1)(f)2. and (h). ~~Of~~
43 ~~this additional civil penalty of \$16, \$4 is not revenue for~~
44 ~~purposes of s. 28.36 and may not be used in establishing the~~
45 ~~budget of the clerk of the court under that section or s. 28.35.~~
46 The department shall contract with the Florida Association of
47 Court Clerks, Inc., to design, establish, operate, upgrade, and
48 maintain an automated statewide Uniform Traffic Citation
49 Accounting System to be operated by the clerks of the court
50 which shall include, but not be limited to, the accounting for
51 traffic infractions by type, a record of the disposition of the
52 citations, and an accounting system for the fines assessed and
53 the subsequent fine amounts paid to the clerks of the court. The
54 clerks of the court must provide the information required by
55 this chapter to be transmitted to the department by electronic
56 transmission pursuant to the contract.

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

17-00934A-24

2024950__

59 moving and nonmoving violations under chapters 316, 320, and
60 322. Of this \$12.50 administrative fee, \$6.25 must be deposited
61 into the Public Records Modernization Trust Fund and used
62 exclusively for funding court-related technology needs of the
63 clerk, as defined in s. 29.008(1)(f)2. and (h), and \$6.25 must
64 be deposited into the fine and forfeiture fund established
65 pursuant to s. 142.01 ~~The clerk shall remit the administrative~~
66 ~~fee to the Department of Revenue for deposit into the General~~
67 ~~Revenue Fund.~~

68 Section 3. This act shall take effect July 1, 2024.