



491654

LEGISLATIVE ACTION

Senate

House

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The Committee on Judiciary (Simon) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:
5 Section 1. Subsections (2) and (3), paragraph (a) of
6 subsection (5), paragraph (a) of subsection (9), paragraph (b)
7 of subsection (11), paragraph (a) of subsection (14), paragraph
8 (a) of subsection (15), subsection (17), paragraph (a) of
9 subsection (18), subsection (19), paragraph (a) of subsection
10 (20), paragraph (a) of subsection (21), and subsection (26) of
11 section 28.24, Florida Statutes, are amended to read:



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12 28.24 Service charges.—The clerk of the circuit court shall
13 charge for services rendered manually or electronically by the
14 clerk's office in recording documents and instruments and in
15 performing other specified duties. These charges may not exceed
16 those specified in this section, except as provided in s.
17 28.345.

18 (2) For examining, comparing, correcting, verifying, and
19 certifying transcripts of record in appellate proceedings,
20 prepared by attorney for appellant or someone else other than
21 clerk, per page: 6.00 ~~5.00~~, from which the clerk shall remit
22 0.50 per page to the Department of Revenue for deposit into the
23 General Revenue Fund.

24 (3) For preparing, numbering, and indexing an original
25 record of appellate proceedings, per instrument: 4.00 ~~3.50~~, from
26 which the clerk shall remit 0.50 per instrument to the
27 Department of Revenue for deposit into the General Revenue Fund.

28 (5) (a) For verifying any instrument presented for
29 certification prepared by someone other than clerk, per page:
30 4.00 ~~3.50~~, from which the clerk shall remit 0.50 per page to the
31 Department of Revenue for deposit into the General Revenue Fund.

32 (9) (a) For writing any paper that is a court record other
33 than a paper otherwise specifically mentioned in this section,
34 including signing and sealing: 8.00 ~~7.00~~, from which the clerk
35 shall remit 1.00 to the Department of Revenue for deposit into
36 the General Revenue Fund.

37 (11) For receiving money into the registry of court:
38 (b) Eminent domain actions, per deposit: 200.00 ~~170.00~~,
39 from which the clerk shall remit 20.00 per deposit to the
40 Department of Revenue for deposit into the General Revenue Fund.



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41 (14) (a) Oath, administering, attesting, and sealing of
42 court records not otherwise provided for in this section: 4.00
43 ~~3.50~~, from which the clerk shall remit 0.50 to the Department of
44 Revenue for deposit into the General Revenue Fund.

45 (15) (a) For validating certificates or any authorized bonds
46 that are court records, each: 4.00 ~~3.50~~, from which the clerk
47 shall remit 0.50 each to the Department of Revenue for deposit
48 into the General Revenue Fund.

49 (17) For exemplified certificates, including the signing
50 and sealing of them: 8.00 ~~7.00~~, from which the clerk shall remit
51 1.00 to the Department of Revenue for deposit into the General
52 Revenue Fund.

53 (18) (a) For authenticated certificates that are court
54 records, including the signing and sealing of them: 8.00 ~~7.00~~,
55 from which the clerk shall remit 1.00 to the Department of
56 Revenue for deposit into the General Revenue Fund.

57 (19) (a) For issuing and filing a subpoena for a witness,
58 not otherwise provided for in this section, including the
59 writing, preparing, signing, and sealing of it: 8.00 ~~7.00~~, from
60 which the clerk shall remit 1.00 to the Department of Revenue
61 for deposit into the General Revenue Fund.

62 (b) For signing and sealing only: 3.00 ~~2.00~~, from which the
63 clerk shall remit 0.50 to the Department of Revenue for deposit
64 into the General Revenue Fund.

65 (20) (a) For approving a court bond: 10.00 ~~8.50~~, from which
66 the clerk shall remit 1.00 to the Department of Revenue for
67 deposit into the General Revenue Fund.

68 (21) (a) For searching court records, for each year's
69 search: 3.00 ~~2.00~~, from which the clerk shall remit 0.50 for



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70 each year's search to the Department of Revenue for deposit into
71 the General Revenue Fund.

72 (26) For sealing any court file or expungement of any
73 record: 50.00 ~~42.00~~, from which the clerk shall remit 4.50 to
74 the Department of Revenue for deposit into the General Revenue
75 Fund.

76 Section 2. Paragraphs (a), (c), (d), and (g) of subsection
77 (1) of section 28.2401, Florida Statutes, are amended to read:

78 28.2401 Service charges and filing fees in probate
79 matters.—

80 (1) Except when otherwise provided, the clerk may impose
81 service charges or filing fees for the following services or
82 filings, not to exceed the following amounts:

83 (a) Fee for the opening of any estate of one document or
84 more, including, but not limited to, petitions and orders to
85 approve settlement of minor's claims; to open a safe-deposit
86 box; to enter rooms and places; for the determination of heirs,
87 if not formal administration; and for a foreign guardian to
88 manage property of a nonresident; but not to include issuance of
89 letters or order of summary administration.....\$275 ~~\$230~~

90 (c) Fee for petition and order to admit foreign wills,
91 authenticated copies, exemplified copies, or transcript to
92 record..... \$275 ~~\$230~~

93 (d) Fee for disposition of personal property without
94 administration.....\$275 ~~\$230~~

95 (g) Fee for formal administration, guardianship, ancillary,
96 curatorship, or conservatorship proceedings.....\$470 ~~\$395~~

97
98 The clerk shall remit \$115 of each filing fee collected under



99 paragraphs (a), (c)-(i), and (k) to the Department of Revenue
100 for deposit into the State Courts Revenue Trust Fund.

101 Section 3. Subsections (1) and (2) of section 28.241,
102 Florida Statutes, are amended to read:

103 28.241 Filing fees for trial and appellate proceedings.—

104 (1) Filing fees are due at the time a party files a
105 pleading to initiate a proceeding or files a pleading for
106 relief. Reopen fees are due at the time a party files a pleading
107 to reopen a proceeding if at least 90 days have elapsed since
108 the filing of a final order or final judgment with the clerk. If
109 a fee is not paid upon the filing of the pleading as required
110 under this section, the clerk must ~~shall~~ pursue collection of
111 the fee pursuant to s. 28.246.

112 (a)1.a. Except as provided in sub-subparagraph b. and
113 subparagraph 2., the party instituting any civil action, suit,
114 or proceeding in the circuit court must ~~shall~~ pay to the clerk
115 of that court a filing fee of up to \$460 ~~\$395~~ in all cases in
116 which there are not more than five defendants and an additional
117 filing fee of up to \$5 ~~\$2.50~~, from which the clerk shall remit
118 \$0.50 to the Department of Revenue for deposit into the General
119 Revenue Fund, for each defendant in excess of five. Of the first
120 \$200 in filing fees, \$195 must be remitted to the Department of
121 Revenue for deposit into the State Courts Revenue Trust Fund, \$4
122 must be remitted to the Department of Revenue for deposit into
123 the Administrative Trust Fund within the Department of Financial
124 Services and used to fund the contract with the Florida Clerks
125 of Court Operations Corporation created in s. 28.35, and \$1 must
126 be remitted to the Department of Revenue for deposit into the
127 Administrative Trust Fund within the Department of Financial



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128 Services to fund audits of individual clerks' court-related
129 expenditures conducted by the Department of Financial Services.

130 b. The party instituting any civil action, suit, or
131 proceeding in the circuit court under chapter 39, chapter 61,
132 chapter 741, chapter 742, chapter 747, chapter 752, or chapter
133 753 shall pay to the clerk of that court a filing fee of up to
134 \$345 \$295 in all cases in which there are not more than five
135 defendants and an additional filing fee of up to \$5 \$2.50 for
136 each defendant in excess of five. Of the first \$100 in filing
137 fees, \$95 must be remitted to the Department of Revenue for
138 deposit into the State Courts Revenue Trust Fund, \$4 must be
139 remitted to the Department of Revenue for deposit into the
140 Administrative Trust Fund within the Department of Financial
141 Services and used to fund the contract with the Florida Clerks
142 of Court Operations Corporation created in s. 28.35, and \$1 must
143 be remitted to the Department of Revenue for deposit into the
144 Administrative Trust Fund within the Department of Financial
145 Services to fund audits of individual clerks' court-related
146 expenditures conducted by the Department of Financial Services.

147 c. An additional filing fee of \$5 \$4 shall be paid to the
148 clerk. The clerk shall remit \$3.50 to the Department of Revenue
149 for deposit into the Court Education Trust Fund and shall remit
150 \$1.50 50 cents to the Department of Revenue for deposit into the
151 Administrative Trust Fund within the Department of Financial
152 Services to fund clerk education provided by the Florida Clerks
153 of Court Operations Corporation. An additional filing fee of up
154 to \$18 must shall be paid by the party seeking each severance
155 that is granted, from which the clerk shall remit \$3 to the
156 Department of Revenue for deposit into the General Revenue Fund.



157 The clerk may impose an additional filing fee of up to \$85, from
158 which the clerk shall remit \$10 to the Department of Revenue for
159 deposit into the General Revenue Fund, for all proceedings of
160 garnishment, attachment, replevin, and distress. Postal charges
161 incurred by the clerk of the circuit court in making service by
162 certified or registered mail on defendants or other parties must
163 shall be paid by the party at whose instance service is made.
164 Additional fees, charges, or costs may not be added to the
165 filing fees imposed under this section, except as authorized in
166 this section or by general law.

167 2.a. Notwithstanding the fees prescribed in subparagraph
168 1., a party instituting a civil action in circuit court relating
169 to real property or mortgage foreclosure must shall pay a
170 graduated filing fee based on the value of the claim.

171 b. A party must shall estimate in writing the amount in
172 controversy of the claim upon filing the action. For purposes of
173 this subparagraph, the value of a mortgage foreclosure action is
174 based upon the principal due on the note secured by the
175 mortgage, plus interest owed on the note and any moneys advanced
176 by the lender for property taxes, insurance, and other advances
177 secured by the mortgage, at the time of filing the foreclosure.
178 The value must shall also include the value of any tax
179 certificates related to the property. In stating the value of a
180 mortgage foreclosure claim, a party must shall declare in
181 writing the total value of the claim, as well as the individual
182 elements of the value as prescribed in this sub-subparagraph.

183 c. In its order providing for the final disposition of the
184 matter, the court shall identify the actual value of the claim.
185 The clerk must shall adjust the filing fee if there is a



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186 difference between the estimated amount in controversy and the
187 actual value of the claim and collect any additional filing fee
188 owed or provide a refund of excess filing fee paid.

189 d. The party must ~~shall~~ pay a filing fee of:

190 (I) Four hundred and seventy ~~Three hundred and ninety-five~~ dollars in all cases in which the value of the claim is \$50,000
191 or less and in which there are not more than five defendants.
192 The party must ~~shall~~ pay an additional filing fee of up to \$5
193 ~~\$2.50~~ for each defendant in excess of five. Of the first \$200 in
194 filing fees, \$195 must be remitted by the clerk to the
195 Department of Revenue for deposit into the General Revenue Fund,
196 \$4 must be remitted to the Department of Revenue for deposit
197 into the Administrative Trust Fund within the Department of
198 Financial Services and used to fund the contract with the
199 Florida Clerks of Court Operations Corporation created in s.
200 28.35, and \$1 must be remitted to the Department of Revenue for
201 deposit into the Administrative Trust Fund within the Department
202 of Financial Services to fund audits of individual clerks'
203 court-related expenditures conducted by the Department of
204 Financial Services;

206 (II) One thousand and seventy ~~Nine hundred~~ dollars in all
207 cases in which the value of the claim is more than \$50,000 but
208 less than \$250,000 and in which there are not more than five
209 defendants. The party must ~~shall~~ pay an additional filing fee of
210 up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the
211 first \$355 in filing fees, \$350 must be remitted by the clerk to
212 the Department of Revenue for deposit into the General Revenue
213 Fund, \$4 must be remitted to the Department of Revenue for
214 deposit into the Administrative Trust Fund within the Department



215 of Financial Services and used to fund the contract with the
216 Florida Clerks of Court Operations Corporation created in s.
217 28.35, and \$1 must be remitted to the Department of Revenue for
218 deposit into the Administrative Trust Fund within the Department
219 of Financial Services to fund audits of individual clerks'
220 court-related expenditures conducted by the Department of
221 Financial Services; or

222 (III) Two thousand two hundred and sixty One thousand nine
223 ~~hundred~~ dollars in all cases in which the value of the claim is
224 \$250,000 or more and in which there are not more than five
225 defendants. The party must ~~shall~~ pay an additional filing fee of
226 up to \$5 ~~\$2.50~~ for each defendant in excess of five. Of the
227 first \$1,705 in filing fees, \$930 must be remitted by the clerk
228 to the Department of Revenue for deposit into the General
229 Revenue Fund, \$770 must be remitted to the Department of Revenue
230 for deposit into the State Courts Revenue Trust Fund, \$4 must be
231 remitted to the Department of Revenue for deposit into the
232 Administrative Trust Fund within the Department of Financial
233 Services to fund the contract with the Florida Clerks of Court
234 Operations Corporation created in s. 28.35, and \$1 must be
235 remitted to the Department of Revenue for deposit into the
236 Administrative Trust Fund within the Department of Financial
237 Services to fund audits of individual clerks' court-related
238 expenditures conducted by the Department of Financial Services.

239 e. An additional filing fee of \$5 ~~\$4~~ must ~~shall~~ be paid to
240 the clerk. The clerk shall remit \$3.50 to the Department of
241 Revenue for deposit into the Court Education Trust Fund and
242 shall remit \$1.50 ~~50 cents~~ to the Department of Revenue for
243 deposit into the Administrative Trust Fund within the Department



244 of Financial Services to fund clerk education provided by the
245 Florida Clerks of Court Operations Corporation. An additional
246 filing fee of up to \$18 must ~~shall~~ be paid by the party seeking
247 each severance that is granted. The clerk may impose an
248 additional filing fee of up to \$85 for all proceedings of
249 garnishment, attachment, replevin, and distress. Postal charges
250 incurred by the clerk of the circuit court in making service by
251 certified or registered mail on defendants or other parties must
252 ~~shall~~ be paid by the party at whose instance service is made.
253 Additional fees, charges, or costs may not be added to the
254 filing fees imposed under this section, except as authorized in
255 this section or by general law.

256 (b) A party reopening any civil action, suit, or proceeding
257 in the circuit court must ~~shall~~ pay to the clerk of court a
258 filing fee set by the clerk in an amount not to exceed \$60 \$50.
259 For purposes of this section, a case is reopened after all
260 appeals have been exhausted or time to file an appeal from a
261 final order or final judgment has expired. A reopen fee may be
262 assessed by the clerk for any motion filed by any party at least
263 90 days after a final order or final judgment has been filed
264 with the clerk in the initial case. A reservation of
265 jurisdiction by a court does not cause a case to remain open for
266 purposes of this section or exempt a party from paying a reopen
267 fee. A party is exempt from paying the fee for any of the
268 following:

- 269 1. A writ of garnishment;
- 270 2. A writ of replevin;
- 271 3. A distress writ;
- 272 4. A writ of attachment;



273 5. A motion for rehearing filed within 10 days;

274 6. A motion for attorney's fees filed within 30 days after
275 entry of a judgment or final order;

276 7. A motion for dismissal filed after a mediation agreement
277 has been filed;

278 8. A disposition of personal property without
279 administration;

280 9. Any probate case prior to the discharge of a personal
281 representative;

282 10. Any guardianship pleading prior to discharge;

283 11. Any mental health pleading;

284 12. Motions to withdraw by attorneys;

285 13. Motions exclusively for the enforcement of child
286 support orders;

287 14. A petition for credit of child support;

288 15. A Notice of Intent to Relocate and any order issuing as
289 a result of an uncontested relocation;

290 16. Stipulations and motions to enforce stipulations;

291 17. Responsive pleadings;

292 18. Cases in which there is no initial filing fee; or

293 19. Motions for contempt.

294 (c)1. A party in addition to a party described in sub-
295 subparagraph (a)1.a. who files a pleading in an original civil
296 action in circuit court for affirmative relief by cross-claim,
297 counterclaim, counterpetition, or third-party complaint must
298 ~~shall~~ pay the clerk of court a fee of \$470 ~~\$395~~. A party in
299 addition to a party described in sub subparagraph (a)1.b. who
300 files a pleading in an original civil action in circuit court
301 for affirmative relief by cross-claim, counterclaim,



302 counterpetition, or third-party complaint must shall pay the
303 clerk of court a fee of \$350 ~~\$295~~. The clerk shall deposit the
304 fee into the fine and forfeiture fund established pursuant to s.
305 142.01.

306 2. A party in addition to a party described in subparagraph
307 (a)2. who files a pleading in an original civil action in
308 circuit court for affirmative relief by cross-claim,
309 counterclaim, counterpetition, or third-party complaint must
310 shall pay the clerk of court a graduated fee of:

311 a. Four hundred and seventy ~~Three hundred and ninety-five~~
312 dollars in all cases in which the value of the pleading is
313 \$50,000 or less;

314 b. One thousand and seventy ~~Nine hundred~~ dollars in all
315 cases in which the value of the pleading is more than \$50,000
316 but less than \$250,000; or

317 c. Two thousand two hundred sixty ~~One thousand nine hundred~~
318 dollars in all cases in which the value of the pleading is
319 \$250,000 or more.

320
321 The clerk shall deposit the fees collected under this
322 subparagraph into the fine and forfeiture fund established
323 pursuant to s. 142.01.

324 (d) The clerk of court shall collect a service charge of
325 \$15 ~~\$10~~ for issuing an original, a certified copy, or an
326 electronic certified copy of a summons, which the clerk shall
327 deposit into the fine and forfeiture fund established pursuant
328 to s. 142.01. The clerk shall assess the fee against the party
329 seeking to have the summons issued.

330 (2) Upon the institution of any appellate proceeding from



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331 any lower court to the circuit court of any such county,
332 including appeals filed by a county or municipality as provided
333 in s. 34.041(5), or from the county or circuit court to an
334 appellate court of the state, the clerk shall charge and collect
335 from the party or parties instituting such appellate proceedings
336 a filing fee, as follows:

337 (a) For filing a notice of appeal from the county court to
338 the circuit court, a filing fee not to exceed \$280.

339 (b) For filing a notice of appeal from the county or
340 circuit court to the district court of appeal or to the Supreme
341 Court, in addition to the filing fee required under s. 25.241 or
342 s. 35.22, a filing fee not to exceed \$115 \$100, of which the
343 clerk shall remit \$20 to the Department of Revenue for deposit
344 into the General Revenue Fund. If the party is determined to be
345 indigent, the clerk must shall defer payment of the fee
346 otherwise required by this subsection.

347 Section 4. Paragraphs (a), (b), (d), and (e) of subsection
348 (1) and subsection (2) of section 34.041, Florida Statutes, are
349 amended to read:

350 34.041 Filing fees.—

351 (1) (a) Filing fees are due at the time a party files a
352 pleading to initiate a proceeding or files a pleading for
353 relief. Reopen fees are due at the time a party files a pleading
354 to reopen a proceeding if at least 90 days have elapsed since
355 the filing of a final order or final judgment with the clerk. If
356 a fee is not paid upon the filing of the pleading as required
357 under this section, the clerk must shall pursue collection of
358 the fee pursuant to s. 28.246. Upon the institution of any civil
359 action, suit, or proceeding in county court, the party must



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360 shall pay the following filing fee, not to exceed:

361 1. For all claims less than \$100\$50.

362 2. For all claims of \$100 or more but not more than \$500

363\$75.

364 3. For all claims of more than \$500 but not more than

365 \$2,500: \$170, from which the clerk shall remit \$20 to the

366 Department of Revenue for deposit into the General Revenue Fund.

367 4. For all claims of more than \$2,500 but not more than

368 \$15,000.....\$295.

369 5. For all claims more than \$15,000\$460 \$395.

370 6. In addition, for all proceedings of garnishment,

371 attachment, replevin, and distress: \$85, from which the clerk

372 shall remit \$10 to the Department of Revenue for deposit into

373 the General Revenue Fund.

374 7. Notwithstanding subparagraph 3. and 6., for all claims

375 of not more than \$1,000 filed simultaneously with an action for

376 replevin of property that is the subject of the claim.....\$125.

377 8. For removal of tenant action.....\$180.

378

379 The filing fee in subparagraph 7. is the total fee due under

380 this paragraph for that type of filing, and no other filing fee

381 under this paragraph may be assessed against such a filing.

382 (b) The first \$15 of the filing fee collected under

383 subparagraph (a)4. and the first \$10 of the filing fee collected

384 under subparagraph (a)8. must shall be deposited in the State

385 Courts Revenue Trust Fund. ~~By the 10th day of each month, the~~

386 ~~clerk shall submit that portion of the fees collected in the~~

387 ~~previous month which is in excess of one-twelfth of the clerk's~~

388 ~~total budget for the performance of court-related functions to~~



389 the Department of Revenue for deposit into the Clerks of the
390 Court Trust Fund. An additional filing fee of \$5 must \$4 shall
391 be paid to the clerk. The clerk shall transfer \$3.50 to the
392 Department of Revenue for deposit into the Court Education Trust
393 Fund and shall transfer \$1.50 50 cents to the Department of
394 Revenue for deposit into the Administrative Trust Fund within
395 the Department of Financial Services to fund clerk education
396 provided by the Florida Clerks of Court Operations Corporation.
397 Postal charges incurred by the clerk of the county court in
398 making service by mail on defendants or other parties must shall
399 be paid by the party at whose instance service is made. Except
400 as provided in this section, filing fees and service charges for
401 performing duties of the clerk relating to the county court are
402 shall be as provided in ss. 28.24 and 28.241. Except as
403 otherwise provided in this section, all filing fees must shall
404 be retained as fee income of the office of the clerk of the
405 circuit court. Filing fees imposed by this section may not be
406 added to any penalty imposed by chapter 316 or chapter 318.

407 (d) The clerk of court shall collect a service charge of
408 \$15 \$10 for issuing a summons or an electronic certified copy of
409 a summons, which the clerk shall deposit into the fine and
410 forfeiture fund established pursuant to s. 142.01. The clerk
411 shall assess the fee against the party seeking to have the
412 summons issued.

413 (e) Of the first \$200 in filing fees payable under
414 subparagraph (a)5., \$195 must be remitted to the Department of
415 Revenue for deposit into the State Courts Revenue Trust Fund, \$4
416 must be remitted to the Department of Revenue for deposit into
417 the Administrative Trust Fund within the Department of Financial



418 Services and used to fund the contract with the Florida Clerks
419 of Court Operations Corporation created in s. 28.35, and \$1 must
420 be remitted to the Department of Revenue for deposit into the
421 Administrative Trust Fund within the Department of Financial
422 Services to fund audits of individual clerks' court-related
423 expenditures conducted by the Department of Financial Services.
424 ~~By the 10th day of each month, the clerk shall submit that~~
425 ~~portion of the filing fees collected pursuant to this subsection~~
426 ~~in the previous month which is in excess of one-twelfth of the~~
427 ~~clerk's total budget to the Department of Revenue for deposit~~
428 ~~into the Clerks of the Court Trust Fund.~~

429 (2) A party reopening any civil action, suit, or proceeding
430 in the county court must shall pay to the clerk of court a
431 filing fee set by the clerk in an amount not to exceed \$30 \$25
432 for all claims of not more than \$500 and an amount not to exceed
433 \$60 \$50 for all claims of more than \$500. For purposes of this
434 section, a case is reopened after all appeals have been
435 exhausted, or time to file an appeal from a final order or final
436 judgment has expired. A reopen fee may be assessed by the clerk
437 for any motion filed by any party at least 90 days after a final
438 order or final judgment has been filed with the clerk in the
439 initial case. A reservation of jurisdiction by a court does not
440 cause a case to remain open for purposes of this section or
441 exempt a party from paying a reopen fee. A party is exempt from
442 paying the fee for any of the following:

443 (a) A writ of garnishment;
444 (b) A writ of replevin;
445 (c) A distress writ;
446 (d) A writ of attachment;



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447 (e) A motion for rehearing filed within 10 days;
448 (f) A motion for attorney's fees filed within 30 days of
449 the entry of the judgment or final order;
450 (g) A motion for dismissal filed after a mediation
451 agreement has been filed;
452 (h) A motion to withdraw by attorneys;
453 (i) Stipulations and motions to enforce stipulations;
454 (j) Responsive pleadings; or
455 (k) Motions for contempt.

456 Section 5. Paragraph (b) of subsection (2) of section
457 45.035, Florida Statutes, is amended to read:

458 45.035 Clerk's fees.—In addition to other fees or service
459 charges authorized by law, the clerk shall receive service
460 charges related to the judicial sales procedure set forth in ss.
461 45.031-45.033 and this section:

462 (2) If there is a surplus resulting from the sale, the
463 clerk may receive the following service charges, which shall be
464 deducted from the surplus:

465 (b) The clerk is entitled to a service charge of \$20 \$15
466 for each disbursement of surplus proceeds, from which the clerk
467 shall remit \$5 to the Department of Revenue for deposit into the
468 General Revenue Fund.

469 Section 6. Subsection (3) of section 721.83, Florida
470 Statutes, is amended to read:

471 721.83 Consolidation of judicial foreclosure actions.—

472 (3) A consolidated timeshare foreclosure action is ~~shall be~~
473 considered a single action, suit, or proceeding for the payment
474 of filing fees and service charges pursuant to general law. In
475 addition to the payment of such filing fees and service charges,



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476 an additional filing fee of up to \$15 \$10, from which the clerk
477 shall remit \$5 to the Department of Revenue for deposit into the
478 General Revenue Fund, for each timeshare interest joined in that
479 action must ~~shall~~ be paid to the clerk of court.

480 Section 7. Subsection (4) of section 744.3678, Florida
481 Statutes, is amended to read:

482 744.3678 Annual accounting.—

483 (4) The guardian shall pay from the ward's estate to the
484 clerk of the circuit court a fee based upon the following
485 graduated fee schedule, upon the filing of the annual financial
486 return, for the auditing of the return:

487 (a) For estates with a value of \$25,000 or less the clerk
488 of the court may charge a fee of up to \$25 \$20, from which the
489 clerk shall remit \$5 to the Department of Revenue for deposit
490 into the General Revenue Fund.

491 (b) For estates with a value of more than \$25,000 up to and
492 including \$100,000 the clerk of the court may charge a fee of up
493 to \$100 \$85, from which the clerk shall remit \$10 to the
494 Department of Revenue for deposit into the General Revenue Fund.

495 (c) For estates with a value of more than \$100,000 up to
496 and including \$500,000 the clerk of the court may charge a fee
497 of up to \$200 \$170, from which the clerk shall remit \$20 to the
498 Department of Revenue for deposit into the General Revenue Fund.

499 (d) For estates with a value in excess of \$500,000 the
500 clerk of the court may charge a fee of up to \$295 \$250, from
501 which the clerk shall remit \$25 to the Department of Revenue for
502 deposit into the General Revenue Fund.

503
504 Upon petition by the guardian, the court may waive the auditing



505 fee upon a showing of insufficient funds in the ward's estate.
506 Any guardian unable to pay the auditing fee may petition the
507 court for a waiver of the fee. The court may waive the fee after
508 it has reviewed the documentation filed by the guardian in
509 support of the waiver.

510 Section 8. This act shall take effect July 1, 2026.

511

512 ===== T I T L E A M E N D M E N T =====

513 And the title is amended as follows:

514 Delete everything before the enacting clause
515 and insert:

516 A bill to be entitled

517 An act relating to court fees; amending s. 28.24,
518 F.S.; increasing the service charges a clerk of the
519 circuit court charges for certain services rendered by
520 the clerk's office; amending s. 28.2401, F.S.;
521 increasing certain filing fees that may be charged by
522 the clerk in probate matters; amending s. 28.241,
523 F.S.; increasing certain filing fees and service
524 charges in trial and appellate proceedings; amending
525 s. 34.041, F.S.; increasing certain filing fees and
526 service charges for civil actions, suits, or
527 proceedings in county court; deleting provisions
528 requiring clerks to submit portions of fees collected
529 to the Department of Revenue for deposit into the
530 Clerks of the Court Trust Fund; revising the
531 distribution formula for additional filing fees;
532 amending s. 45.035, F.S.; increasing the service
533 charge the clerk is entitled to for disbursement of



534 surplus proceeds for certain judicial sales
535 procedures; amending s. 721.83, F.S.; increasing the
536 filing fee for additional timeshare interests joining
537 a consolidated timeshare foreclosure action; amending
538 s. 744.3678, F.S.; increasing the fee a clerk of the
539 circuit court may charge for auditing the return of a
540 ward's estate; providing an effective date.