



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/10/2026	.	
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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. Paragraph (b) of subsection (4) of section
6 28.37, Florida Statutes, is amended to read:

7 28.37 Fines, fees, service charges, and costs remitted to
8 the state.—

9 (4)

10 (b) ~~No later than February 1, 2022, and each February 1~~
11 ~~thereafter, the Department of Revenue shall transfer 50 percent~~



12 ~~of the cumulative excess of the original revenue projection from~~
13 ~~the Clerks of the Court Trust Fund to the General Revenue Fund.~~
14 ~~The remaining 50 percent in the Clerks of the Court Trust Fund~~
15 ~~may be used in the development of the total combined budgets of~~
16 ~~the clerks of the court as provided in s. 28.35(2)(f)6. However,~~
17 ~~a minimum of 10 percent of the clerk retained portion of the~~
18 ~~cumulative excess amount must be held in reserve until such~~
19 ~~funds reach an amount equal to at least 16 percent of the total~~
20 ~~budget authority from the current county fiscal year, as~~
21 ~~provided in s. 28.36(3)(a).~~

22 Section 2. Paragraph (f) of subsection (2) of section
23 28.35, Florida Statutes, is amended to read:

24 28.35 Florida Clerks of Court Operations Corporation.—

25 (2) The duties of the corporation shall include the
26 following:

27 (f) Approving the proposed budgets submitted by clerks of
28 the court pursuant to s. 28.36. The corporation must ensure that
29 the total combined budgets of the clerks of the court do not
30 exceed the total estimated revenues from fees, service charges,
31 court costs, and fines for court-related functions available for
32 court-related expenditures as determined by the most recent
33 Revenue Estimating Conference, plus the total of unspent
34 budgeted funds for court-related functions carried forward by
35 the clerks of the court from the previous county fiscal year,
36 plus the cumulative excess as provided in balance of funds
37 ~~remaining in the Clerks of the Court Trust Fund after the~~
38 ~~transfer of funds to the General Revenue Fund required pursuant~~
39 ~~to s. 28.37(4)(b), and plus any appropriations for court-related~~
40 ~~functions. The corporation may amend any individual clerk of the~~



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41 court budget to ensure compliance with this paragraph and must
42 consider performance measures, workload performance standards,
43 workload measures, and expense data before modifying the budget.
44 As part of this process, the corporation shall:

45 1. Calculate the minimum amount of revenue necessary for
46 each clerk of the court to efficiently perform the list of
47 court-related functions specified in paragraph (3)(a). The
48 corporation shall apply the workload measures appropriate for
49 determining the individual level of review required to fund the
50 clerk's budget.

51 2. Prepare a cost comparison of similarly situated clerks
52 of the court, based on county population and numbers of filings,
53 using the standard list of court-related functions specified in
54 paragraph (3)(a).

55 3. Conduct an annual base budget review and an annual
56 budget exercise examining the total budget of each clerk of the
57 court. The review shall examine revenues from all sources,
58 expenses of court-related functions, and expenses of noncourt-
59 related functions as necessary to determine that court-related
60 revenues are not being used for noncourt-related purposes. The
61 review and exercise shall identify potential targeted budget
62 reductions in the percentage amount provided in Schedule VIII-B
63 of the state's previous year's legislative budget instructions,
64 as referenced in s. 216.023(3), or an equivalent schedule or
65 instruction as may be adopted by the Legislature.

66 4. Identify those proposed budgets containing funding for
67 items not included on the standard list of court-related
68 functions specified in paragraph (3)(a).

69 5. Identify those clerks projected to have court-related



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70 revenues insufficient to fund their anticipated court-related
71 expenditures.

72 6. Use revenue estimates based on the official estimate for
73 funds from fees, service charges, court costs, and fines for
74 court-related functions accruing to the clerks of the court made
75 by the Revenue Estimating Conference, as well as any unspent
76 budgeted funds for court-related functions carried forward by
77 the clerks of the court from the previous county fiscal year and
78 the cumulative excess as provided in balance of funds remaining
79 ~~in the Clerks of the Court Trust Fund after the transfer of~~
80 ~~funds to the General Revenue Fund required pursuant to s.~~
81 28.37(4)(b), plus any appropriations for the purpose of funding
82 court-related functions.

83 7. Identify pay and benefit increases in any proposed clerk
84 budget, including, but not limited to, cost of living increases,
85 merit increases, and bonuses.

86 8. Identify increases in anticipated expenditures in any
87 clerk budget that exceeds the current year budget by more than 3
88 percent.

89 9. Identify the budget of any clerk which exceeds the
90 average budget of similarly situated clerks by more than 10
91 percent.

92
93 For the purposes of this paragraph, the term "unspent budgeted
94 funds for court-related functions" means undisbursed funds
95 included in the clerks of the courts budgets for court-related
96 functions established pursuant to this section and s. 28.36.

97 Section 3. Paragraph (b) of subsection (2) and paragraph
98 (a) of subsection (3) of section 28.36, Florida Statutes, are



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99 amended to read:

100 28.36 Budget procedure.—There is established a budget
101 procedure for the court-related functions of the clerks of the
102 court.

103 (2) Each proposed budget shall further conform to the
104 following requirements:

105 (b) The proposed budget must be balanced such that the
106 total of the estimated revenues available equals or exceeds the
107 total of the anticipated expenditures. Such revenues include
108 revenue projected to be received from fees, service charges,
109 court costs, and fines for court-related functions during the
110 fiscal period covered by the budget, plus the total of unspent
111 budgeted funds for court-related functions carried forward by
112 the clerk of the court from the previous county fiscal year and
113 the cumulative excess as provided in plus the portion of the
114 ~~balance of funds remaining in the Clerks of the Court Trust Fund~~
115 ~~after the transfer of funds to the General Revenue Fund required~~
116 ~~pursuant to s. 28.37(4) (b) which has been allocated to each~~
117 ~~respective clerk of the court by the Florida Clerks of Court~~
118 ~~Operations Corporation. For the purposes of this paragraph, the~~
119 ~~term "unspent budgeted funds for court-related functions" means~~
120 ~~undisbursed funds included in the clerk of the courts' budget~~
121 ~~for court related functions established pursuant to s. 28.35 and~~
122 ~~this section. The anticipated expenditures must be itemized as~~
123 ~~required by the corporation.~~

124 (3) (a) The Florida Clerks of Court Operations Corporation
125 shall establish and manage a reserve for contingencies within
126 the Clerks of the Court Trust Fund which must consist of an
127 amount not to exceed 16 percent of the total budget authority



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128 for the clerks of court during the current county fiscal year,
129 to be carried forward at the end of the fiscal year. Funds to be
130 held in reserve include the transfers of cumulative excess, as
131 provided in s. 28.37(4)(b), ~~from the Clerks of the Court Trust~~
132 Fund and may also include revenues provided by law or moneys
133 appropriated by the Legislature.

134 Section 4. This act shall take effect July 1, 2026.

135

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

137 | And the title is amended as follows:

138 Delete everything before the enacting clause
139 and insert:

140 A bill to be entitled

141 An act relating to clerks of the court; amending s.
142 28.37, F.S.; authorizing the cumulative excess of
143 funds to be used in the development of the total
144 combined budgets of the clerks of the court; amending
145 ss. 28.35 and 28.36, F.S.; conforming provisions to
146 changes made by the act; providing an effective date.